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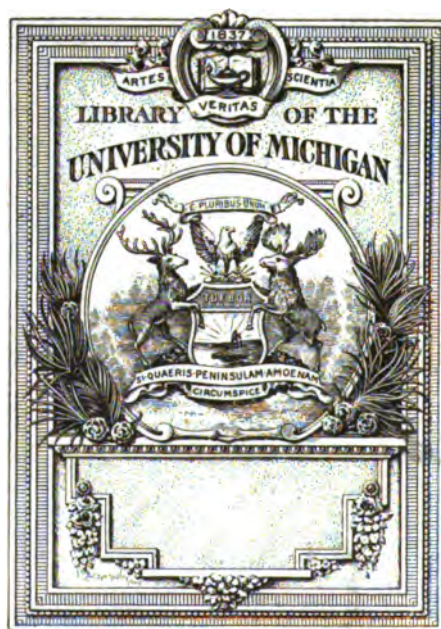
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JOURNAL
OF THE
INDIANA STATE SENATE

DURING THE
FIFTY-FOURTH SESSION

OF THE
GENERAL ASSEMBLY,

Commencing Thursday, January 8, 1885.

REGULAR SESSION.

INDIANAPOLIS:
WM. B. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING.

1885.

JOURNAL

OF THE

SENATE OF INDIANA.

THURSDAY MORNING.

JANUARY 8, 1885.

This being the day prescribed by the Constitution of the State of Indiana (Article IV, section 9), for the meeting of the General Assembly, Senators holding over and Senators elect met in the city of Indianapolis, in the Superior Court room, in the northeast corner of the Marion County Court House, at 10 o'clock A. M.

Lieutenant Governor Thomas Hanna called the Senate to order.

After which the Senate was led in prayer by Rev. Dr. Marine, of the Methodist church.

Twenty-three Senators elected in 1882 for the constitutional term of four years, appeared and answered to their names as follows:

From Posey and Gibson, J. E. McCullough.

From Posey, Warrick and Pike, Ed. P. Richardson.

From Spencer and Perry, H. J. May.

From Crawford, Harrison and Orange, John Benz.
 From Duboise, Martin and Lawrence, J. H. Willard.
 From Clark and Scott, Dr. D. McClure.
 From Jefferson, Jas. Hill.
 From Franklin and Ripley, C. R. Faulkner.
 From Dearborn, Ohio and Switzerland, Columbus Johnston.
 From Brown, Monroe and Bartholomew, W. C. Duncan.
 From Greene and Davis, Jacob P. McIntosh.
 From Knox and Sullivan, J. Ernest.
 From Park and Vermillion, John H. Lindley.
 From Wayne, W. D. Foulke.
 From Randolph and Delaware, Marcus C. Smith.
 From Lake and Porter, J. W. Youche.
 From St. Joseph and Starke, Marvin Campbell.
 From Cass, Rufus Magee.
 From Allen, Lycurgus Null.
 From Huntington and Wells, W. J. Hilligass.
 From Adams, Jay and Blackford, John M. Smith.
 From Morgan and Johnson, Gabriel Overstreet.
 From Benton, Newton and Jasper, Fred Hoover.

Twenty-five Senators, elected last November, came forward as their districts were called, and, standing in front of the Secretary's table, took the oath of office as administered by the Hon. George V. Howk, Judge of the Supreme Court of Indiana, in the following order:

From Vanderburgh county, Wm. Rahm, Jr.
 From Decatur and Shelby, F. M. Howard.
 From Floyd and Washington, John S. Day.
 From Jackson and Jennings, A. G. Smith.
 From Vigo, Phillip Schloss.
 From Clay and Owen, I. H. Fowler.
 From Henry, Delaware and Randolph, J. W. Macy.

From Grant and Madison, Jas. S. Shively.
 From Boone and Clinton, DeWitt C. Bryant.
 From Montgomery, Silas Peterson.
 From Fountain and Warren, Andrew Marshall.
 From Laporte, Morgan Weir.
 From Marshall and Fulton, Valentine Zimmerman.
 From Wabash and Kosciusko, George W. Moon.
 From Elkhart, W. J. Davis.
 From Lagrange and Noble, Jas. S. Drake.
 From Steuben and Dekalb, Nicholas Ensley.
 From Allen and Whitley, Eli W. Brown.
 From Carroll, White and Pulaski, E. B. Sellers.
 From Marion, F. Winter, W. C. Thompson.
 From Marion, Hancock and Shelby, Leon O. Bailey.
 From Hendricks and Putnam, L. M. Campbell.
 From Tipton and Hamilton, Chas. C. Duncan.
 From Rush, Fayette and Union, J. N. Huston.

The Lieutenant Governor having announced the Senate ready to proceed to the election of a Principal Secretary.

Senator Willard presented the name of Albert J. Kelley, of Terre Haute, as a candidate for the position of Principal Secretary of the Senate.

Senator Campbell, of St. Joseph county, presented the name of Cyrus T. Nixon for the office of Principal Secretary of the Senate.

There being no other nominations, the Senate proceeded to ballot upon the names of the two gentlemen presented.

Those voting for Mr. Kelley were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan, Ernest,
 Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston,
 Magee, May, McClure, McCullough, McIntosh, Null, Peterson,

Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Zimmerman. Total, 32.

Those voting for Mr. Nixon were:

Senators Campbell of Hendricks, Campbell of Starke, Davis, Drake, Duncan of Hamilton and Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware, Winter, Youche. Total, 16.

Mr. Kelley having received a majority of all the votes cast, was declared duly elected Principal Secretary of the Senate, and he advanced to the front of the President's desk and was sworn in by Hon. George V. Howk, Judge of the Supreme Court.

Senator Schloss presented the name of Harry C. Huffstetter for the office of Assistant Secretary of the Senate.

Senator Youche presented the name of Charles F. Griffin for the office of Assistant Secretary of the Senate.

The roll being called, resulted as follows:

Those voting for Mr. Huffstetter were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jackson and Jennings, Smith of Adams, Blackford and Jay, Thompson, Weir, Willard, Zimmerman. Total, 32.

Those voting for Mr. Griffin were:

Senators Campbell of Hendricks and Putnam, Campbell of Stark and St. Joseph, Davis, Drake, Duncan of Hamilton and Tipton, Ensley, Foulke, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware and Randolph, Winter, Youche. Total, 15.

Senator Null presented the name of J. W. Cope for the office of Doorkeeper of the Senate.

Senator Campbell, of Hendricks and Putnam, presented the name of James W. Hamrick for the office of Doorkeeper of the Senate.

The roll being called, resulted as follows:

Those voting for Mr. Cope were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Bartholomew, Brown and Monroe, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jackson and Jennings, Smith of Adams, Blackford and Jay, Thompson, Weir, Willard, Zimmerman. Total, 32.

Those voting for Mr. Hamrick were:

Senators Campbell of Hendricks and Putnam, Campbell of Stark and St. Joseph, Davis, Drake, Duncan of Hamilton and Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware and Randolph, Winter, and Youche. Total, 16.

Mr. Cope having received a majority of all the votes cast, was declared duly elected Doorkeeper for the session, who appeared and was sworn into office by Judge Howk, of the Supreme Court.

Senator Magee introduced the following resolution:

Resolved, That the rules of the last regular session of the Indiana Senate be and are hereby adopted for the government of the proceedings of this session of the Senate until the Senate otherwise orders.

It was adopted.

Senator Foulke offered the following resolution, which was adopted:

Resolved, That there be appointed two members upon the part of the Senate to serve upon the committee to be appointed by the Senate and House, to prepare joint rules for the two houses, and that the House be notified of such appointment. -

The committee appointed were: Senators Foulke and Magee.

Senator May offered the following resolution, which was adopted:

Resolved, That the House be informed that the Senate has organized by the election of Albert J. Kelley, of Vigo county, as Principal Secretary, Harry B. Huffstetter, of Lawrence county, as Assistant Secretary, and Joseph W. Cope, of Allen county, as Doorkeeper, and that the Senate of the Fifty-fourth General Assembly of Indiana is now ready to proceed with legislative business.

The Lieutenant Governor appointed Senators May and Drake a committee to notify the House of the organization of the Senate.

Senator Willard offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed by the Chair to secure bids for committee rooms for the Senate, and report their action to the Senate.

The committee appointed were: Senators Willard, Lindley and Hoover.

Senator Smith, of Jay, offered the following resolution, which was adopted:

Resolved, That there be a committee of two appointed by the Chair to wait upon the Governor and notify him that the Senate is organized and ready to receive any communications he has to communicate to the Fifty-fourth General Assembly.

The committee appointed were: Senators Smith and Campbell.

Senator Foulke offered the following resolution:

Resolved, That the Principal Secretary place upon the desk of each Senator, every Monday morning, a printed calendar of business, showing numbers and titles of bills, by whom introduced, and when, and a brief abstract showing the action taken thereon, and the present status.

It was adopted.

Senator Foulke presented Senate Bill No. 1, entitled :

A bill for an act to regulate and improve the civil service of the State of Indiana.

Read the first time and referred to the Judiciary Committee.

Senator Smith, of Jennings, introduced Senate Bill No. 2, entitled :

An act concerning real estate and the alienation thereof.

Read the first time and referred to the Judiciary Committee.

Senator Bryant introduced Senate Bill No. 3, entitled :

An act to amend section one of an act entitled "an act to prevent the spread of Canada thistles, prescribing penalties," etc.

Read the first time and referred to the Committee on Agriculture.

Senator L. M. Campbell introduced Senate Bill No. 4, entitled :

A bill to protect the ballot-box; to procure fair elections; to prevent the purchase and sale of votes; to provide means of proving such offenses, and prescribing punishment therefor, and to repeal certain existing laws on the subject.

Read the first time and referred to the Committee on Elections.

Senator Marvin Campbell introduced Senate Bill No. 5, entitled :

An act to require that new plats of additions to cities or towns shall be submitted to the authorities of such cities or towns, before being placed upon record.

Read the first time and referred to the Committee on Corporations.

Senator Foulke introduced Senate Bill No. 6, entitled :

An act to provide for the registration of all persons entitled to vote.

Read the first time and referred to the Committee on Elections.

Senator Schloss introduced Senate Bill No. 7, entitled :

An act to authorize Boards of Commissioners of counties when the construction of court houses and public buildings has been commenced and entered upon, and when the proceeds of the sale of bonds of one per centum on the assessed valuation of the taxable property of such counties is insufficient to complete such buildings, to issue and sell county bonds to an amount not exceeding one per centum on the assessed valuation of the taxable property of such counties in addition to any bonds which may have heretofore been issued and sold, and declaring an emergency.

Read the first time and referred to the Committee on County and Township Business.

Senator Brown introduced Senate Bill No. 8, entitled :

An act to provide for the election of County Superintendents, their qualifications, and duties of officers connected therewith.

Read the first time and referred to the Committee on Education.

Senator Thompson introduced Senate Bill No. 9, entitled :

An act prescribing the duties of teachers and all other persons receiving human bodies for the purpose of medical or surgical study, or for any purposes, bearing marks of violence.

Read the first time and referred to the Committee on Vital Statistics.

Senator Willard introduced Senate Bill No. 10, entitled :

A bill for an act to amend section 276 of an act concerning proceedings in civil causes, approved April 7, 1881, and declaring an emergency.

Referred to Judiciary Committee.

Senator Winter introduced Senate Bill No. 11, entitled :

A bill for an act limiting the amount of taxes that may be levied by the Boards of Commissioners in counties containing a voting population of over twenty-five thousand.

Referred to Committee on Corporations.

Senator Youche introduced Senate Bill No. 12, entitled:

An act to authorize owners of tracts of land separated by the right of way of a railroad company, to construct carriage and drift ways over such right of way, and providing that the railroad company owning or operating such railroad shall not be liable in certain cases for animals killed or injured on such railroads.

Read by title only and referred to Committee on Railroads.

On motion, by Mr. Foulke, Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

JANUARY 8, 1885.

Senate met at 2 o'clock, Lieutenant Governor Hanna in the chair.

Senator Schloss offered the following resolution:

Resolved, That the President appoint a Committee on Mileage consisting of three members.

It was adopted.

The committee appointed were: Senators Schloss, Marshall and Brown.

Senator Bryant offered the following resolution:

Resolved, That in all cases where a bill shall be reported from a committee with recommendation that it do pass, that one hundred copies of such bill shall be printed for the use of the Senate, and be laid on the desks of members.

Laid on the table by ayes 26, noes 15.

Senator McCullough offered the following resolution:

Resolved, That Rev. Oliver H. B. Abbott, of Indianapolis, be requested to act as permanent Chaplain at the present session of this Senate.

Senator Smith, of Delaware, offered the following amendment:

I move to amend by soliciting the pastors of the different religious denominations of the city to open the sessions of the Senate with prayer.

Mr. Smith, of Jay, made an ineffectual motion—ayes 8, noes 36—to lay the amendment on the table.

Senators Schloss and May called for ayes and noes on the amendment.

Those voting in the affirmative were:

Senators Bailey, Benz, Campbell of Hendricks and Putnam, Campbell of Starke and St. Joseph, Davis, Drake, Duncan of Hamilton and Tipton, Ensley, Foulke, Hill, Huston, Lindley, Macy, Marshall, Moon, McClure, Null, Overstreet, Peterson, Rahm, Smith of Delaware and Randolph, Weir, Winter, and Zimmerman. Total, 24.

Those voting in the negative were:

Senators Brown, Day, Duncan of Bartholomew, Brown and Monroe, Ernest, Faulkner, Fowler, Hoover, Howard, Johnston, Magee, May, MuCullough, McIntosh, Richardson, Schloss, Sellers, Shively, Smith of Jackson and Jennings, Smith of Adams, Blackford and Jay, Willard, and Youche. Total, 22.

So the amendment was agreed to, and the resolution, as amended, was adopted.

Senator Davis offered the following resolution:

Resolved, That the Secretary of State, be and is hereby requested to place upon the desk of each Legislator, a copy of the Revised Statutes of Indiana, of 1881, that upon each Senator accepting such copy, he shall receipt to the Secretary of State therefor, providing in said receipt that he will return the Statutes at the end of the Session: *Provided however*, that such copy may be retained by payment of the cost paid therefor.

It was adopted.

Senator Magee offered the following resolution :

Resolved, That the principal Secretary of the Senate, shall make all requisitions upon the Commissioners of the Public Printing and Binding, for all stationery ordered or needed for the use of the Senate, but before the procurement of any stationery by the Secretary, he shall first procure the signature to any requisition made by him of the President of the Senate, and that any stationery ordered by such Secretary without such signature of the President of the Senate, shall be deemed unauthorized.

Senator Willard moved that the resolution be referred to the Committee on Rules.

The ayes and noes were called for by Smith, of Jay, and Willard.

The ayes and noes being taken resulted as follows :

Those voting in the affirmative were :

Senators Johnston, McClure, Shively, Smith of Adams, Weir and Willard. Total, 6.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Stark, Davis, Day, Drake, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jackson, Smith of Delaware, Winter, and Zimmerman. Total, 35.

So the motion to refer was lost, and then the resolution was adopted.

Senator Weir, introduced a bill, No. 13, entitled :

An act defining the rights and liabilities of hotel, inn, and eating-house keepers, and providing penalties for violation thereof.

Referred to Judiciary Committee.

Senator Smith, of Jay, introduced Senate Bill No. 14, entitled :

A bill for an act to amend section one of an act entitled an act, approved March 10, 1875.

Referred to Judiciary Committee.

Lieutenant Governor Hanna, offered the following communication :

Four years ago my predecessor, Senator Viehe, then President *pro tem* of the Senate, extended me the courtesy of appointing two pages of the Senate, with the two that he appointed, and it gives me pleasure to extend the same courtesy to my successor. I therefore appoint Walter Woodrum and Harry Richardson, of Putnam county, and as soon as my successor gives me the names of those he desires appointed I will submit them to the Senate.

Senator McClure introduced Senate Bill No. 15, entitled:

An act for the better government and regulation of the Hospital for the Insane.

Referred to Committee on Benevolent and Reformatory Institutions.

Senator A. G. Smith introduced Senate Bill No. 16, entitled:

An act to legalize sales of real estate made by Commissioners in proceedings by an executor or administrator, to sell the real estate of the decedent to pay debts, and to validate the deeds of such Commissioners made in that behalf.

Referred to Judiciary Committee.

Senator Moon offered Joint Resolution No. 1:

Instructing Indiana Congressmen in reference to pensions, etc.

Referred to Committee on Federal Relations.

On motion the Senate adjourned.

THOMAS HANNA,

President of the Senate.

FRIDAY MORNING.

JANUARY 9, 1885.

Senate met at 10 o'clock, Lieutenant Governor Hanna in the chair.

Prayer was offered by the Rev. Dr. J. S. Jenckes, of St. Paul's Episcopal Church.

Journal of yesterday was read and approved.

Representatives Gordon and Adams, a committee from the House of Representatives, announced the organization of that body, and that it was ready to proceed with legislative business.

Committee on Mileage submitted the following report:

MR. PRESIDENT:

Your Committee on Mileage beg leave to report as follows:

Senator Adkinson, 150 miles.....	\$30 00
Senator Benz, 380 miles.....	76 00
Senator Brown, 285 miles.....	57 00
Senator Bailey.....	
Senator Bryant, 104 miles	20 80
Senator Campbell (Hendricks), 44 miles.....	8 80
Senator Campbell (St. Joseph), 320 miles.....	64 00
Senator Davis, 328 miles.....	65 60
Senator Day, 228 miles.....	45 60
Senator Drake, 380 miles.....	76 00
Senator Duncan (Hamilton and Tipton), 130 miles.....	26 00
Senator Duncan (Bartholomew, Brown and Monroe), 122 miles.....	24 40
Senator Ensley, 300 miles.....	60 00
Senator Ernest, 200 miles.....	40 00
Senator Faulkner, 160 miles.....	32 00
Senator Foulke, 136 miles.....	27 20
Senator Fowler, 106 miles	21 20

Senator Hill, 188 miles	37 60
Senator Hilligass, 216 miles.....	43 20
Senator Hoover, 204 miles.....	40 80
Senator Howard, 74 miles.....	15 80
Senator Huston, 114 miles.....	22 80
Senator Johnson (Tippecanoe), 128 miles.....	25 60
Senator Johnston (Dearborn), 200 miles.....	40 00
Senator Lindley, 202 miles.....	40 40
Senator Macy, 150 miles.....	30 00
Senator Magee, 154 miles.....	30 80
Senator Marshall, 180 miles.....	36 00
Senator May, 500 miles.....	100 00
Senator Moon, 240 miles.....	48 00
Senator McClure, 220 miles.....	44 00
Senator McCullough, 314 miles.....	62 80
Senator McIntosh, 140 miles.....	28 00
Senator Null, 266 miles.....	53 20
Senator Overstreet, 42 miles.....	8 40
Senator Peterson, 116 miles.....	22 20
Senator Rahm, 364 miles.....	72 80
Senator Richardson, 340 miles.....	68 00
Senator Schloss, 144 miles	28 80
Senator Sellers, 178 miles.....	35 60
Senator Shively, 150 miles.....	30 00
Senator Smith (Jennings), 140 miles.....	28 00
Senator Smith (Jay), 212 miles.....	42 40
Senator Smith (Delaware), 106 miles.....	21 20
Senator Thompson	
Senator Weir, 308 miles.....	61 60
Senator Willard, 212 miles.....	42 40
Senator Winter.....	
Senator Youche, 320 miles.....	64 00
Senator Zimmerman, 210 miles.....	42 00
Mr. President, 80 miles.....	16 00
Lieutenant Governor-elect, 90 miles.....	18 00

Respectfully submitted,

PHILIP SCHLOSS, Chairman,
ELI W. BROWN,
ANDREW MARSHALL.

Adopted.

Senator Brown offered the following resolution:

Resolved, That the Doorkeeper be authorized and instructed to replace the present dark window shades with white muslin.

Adopted.

Senator Smith, of Delaware, offered the following resolution:

Resolved, That the Secretary of the Young Men's Christian Association be requested to ask a minister of the Gospel to open each day's session with prayer, and that the Secretary of the Senate be instructed to transmit a certified copy of this resolution to the Secretary of the Young Men's Christian Association.

Senator Fowler moved to lay the resolution on the table.

A division was called for, and resulted, ayes 23, noes 20.

So the resolution was laid on the table.

Senator Marvin Campbell offered the following resolution:

Resolved, That the employes of the Senate for the present session shall be limited to the number and for the purposes stipulated in the Revised Statutes of 1881, except that in addition thereto there may be appointed a keeper of the cloak-room.

Senator May moved to lay on the table.

The ayes and noes being demanded, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Ernest, Faulkner, Fowler, Hoover, Johnston, Magee, May, McCullough, McIntosh, Null, Rahm, Richardson, Schloss, Sellers, Smith of Jay, Weir, Willard, and Zimmerman. Total, 23.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Hilligass, Huston, Lindley, Macy, Marshall, Moon, McClure,

Overstreet, Peterson, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter, and Youche. Total, 24.

So the motion was rejected.

Senator McIntosh moved to amend by striking out the appointment of a keeper of the cloak-room.

Senator May moved the whole matter be referred to Committee on Rules.

The ayes and noes being demanded, and taken, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Day, Ernest, Faulkner, Fowler, Hoover, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jay, Weir, Willard, Zimmerman. Total, 26.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Hilligass, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Jennings, Smith of Delaware, Thompson, Winter, Youche. Total, 21.

So the motion was agreed to.

A committee from the House appearing, requesting the attendance of the Senate in Joint Convention, to hear the reading of the message of His Excellency, Governor Albert G. Porter.

Senator Rahm offered the following resolution :

Resolved by the Senate, the House of Representatives concurring, That a committee of three be appointed by the President of the Senate, to act in conjunction with a like committee from the House of Representatives, to make all necessary arrangements for the inauguration of Isaac P. Gray as Governor and Mahlon D. Manson as Lieutenant-Governor of the State of Indiana, on the 12th day of January, 1885.

Adopted.

The Lieutenant-Governor appointed on said committee :
Senators Rahm, Marshall and Weir.

Senator Foulke offered the following resolution :

Resolved, That the Senate of Indiana is in full accord with the declarations contained in the late letter of the Hon. Grover Cleveland to the President of the National Civil Service Reform League, pledging himself to the fair and honest enforcement of the Civil Service Reform Act of 1883, and declaring that a removal of the present incumbents from their government positions disconnected with the policy of the administration, shall not be made during the terms for which they were appointed, for the purpose of putting in their places those who are in political accord with the appointing power, and declaring further, that a due regard for the people's interest does not permit faithful party work to be always rewarded by appointment to office, and that selections for office not embraced within the civil service law be based on sufficient regard as to fitness, rather than upon persistent importunities and self-solicited recommendations.

Resolved, That in the impartial and non-partisan enforcement of these principles the President-elect will have the earnest support of this body, and, as we believe, of those whom we represent, without distinction of party.

Senator Weir moved to refer the resolutions to the Committee on Federal Relations.

The ayes and noes being demanded and taken resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Johnston, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir and Zimmerman. Total, 29.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Hus-

ton, Lindley, Macy, Magee, Marshall, Moon, Overstreet, Smith of Delaware, Winter and Youche. Total, 18.

So the motion was agreed to.

The following message was received from the House:

MR. PRESIDENT:

I am instructed by the House of Representatives to inform the Senate, that the House has passed the Senate Concurrent Resolution in relation to the holding of a Joint Convention of the House and Senate upon the subject of the Governor's Message, and have appointed as Committee on part of House, Messrs. Loop, Hayden and Linsday. And the same is herewith transmitted to the Senate for its action thereon.

Senator Magee moved that the Senate proceed to the House, to hear the Governor's Message, and count the vote cast at the last election for Governor and Lieutenant Governor. Thereupon the Senators repaired to the Hall of the House of Representatives in a body.

And after listening to the Governor's message—

The Lieutenant Governor then published the vote cast at the last general election in November as follows :

FOR GOVERNOR.

Isaac P. Gray, received.....	245,140
W. H. Calkins, received.....	237,748
H. Z. Leonard, received.....	8,338
Robert S. Dwiggins, received.....	3,068
<hr/>	
Isaac P. Gray's plurality.....	7,392

FOR LIEUTENANT GOVERNOR.

Mahlon D. Manson, received.....	245,476
Eugene H. Bundy, received.....	237,588
Jas. B. Melroy, received.....	8,384
E. C. Siler.....	3,689
<hr/>	
M. D. Manson's plurality.....	7,938

When Senators returned to their chamber—

Senator Rahm, from the Committee of Inauguration, submitted the following report :

MR. PRESIDENT :

The Committee on Inauguration of Governor Gray, and Lieutenant Governor Manson, beg leave to report that they have conferred with a like committee of the House, and have arranged to have the inauguration take place in English's Opera House, next Monday, January 12, 1885, at two o'clock P. M. Further details will be duly arranged.

RAHM,
Chairman.

Senator Schloss, presented the following resolution :

Resolved, That the Secretary of the Senate, be and is hereby instructed to procure safe place for the bills, books and papers, belonging to this body.

Senator Magee offered the following amendment, which was accepted by Senator Schloss :

Move to amend as follows : .

That a committee of three (3) be appointed to procure a proper desk or other article for the use of the Secretary in which to keep all resolutions, bills, etc., etc.

Adopted as amended, and the Chair appointed as said committee, Senators Magee, Huston and Ernest.

Senator Hilligass, offered the following resolution :

Resolved, That the Secretary of State is instructed to supply the members of this body with a copy of the Statutes of Indiana, and that the Doorkeeper be authorized to receipt for the same.

Which was adopted.

Senator Youche moved that when the Senate adjourned it be until Monday morning at 10 o'clock.

Senator Foulke moved to amend by making it 3 o'clock P. M.

Amendment agreed to, and motion as amended agreed to.

On motion the Senate adjourned.

AFTERNOON SESSION.

JANUARY 9, 1885.

Senate met at 3 o'clock with Lieutenant Governor Hartha in the chair.

Senator Hilligass offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to procure one thousand printed copies of the Governor's message for the use of the Senate and for distribution.

Adopted.

Senator Smith, of Jennings, offered the following resolution:

Resolved by the Senate, the House of Representatives concurring, That the Senate meet the House in joint convention at English's Opera House, in the city of Indianapolis, on Monday, January 12, 1885, at 2 o'clock P. M., for the purpose of attending the inauguration ceremonies of the Governor and Lieutenant Governor elect; and be it further

Resolved, That the Senate and House convene in their respective chambers at 1:30 o'clock P. M. of said day and proceed to the opera house in a body.

Adopted.

Senator Schloss offered the following Joint Resolution No. 2:

A concurrent resolution instructing our Senators and requesting our Representatives in Congress to use their influence to secure the passage of House Bill No. 420, to pension prisoners confined in Confederate prisons during the late war.

Read the first time and referred to Committee on Federal Relations.

Senator Campbell offered the following resolution:

Resolved, That the pay of employes of the Senate for the present session shall be fixed at \$2.50 per day, except when the

price is definitely fixed by the statute, and except that the pages and paper folders shall receive one dollar per day.

Senator Hilligass moved to postpone the consideration of this resolution until next Wednesday.

The ayes and noes being demanded by Senators Foulke and Campbell, of St. Joseph, and taken, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Duncan, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard, Youche, Zimmerman.
Total, 29.

Those voting in the negative were :

Senators Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Foulke, Huston, Lindley, Macy, Moon, Overstreet, Smith of Delaware, Winter
Total, 15.

So the motion was adopted.

Senator Foulke presented the following :

MR. PRESIDENT:

I give notice that on Monday, January 12, 1885, or as soon thereafter as the resolution can be introduced, I will introduce the following as a substitute for Rule 59 :

Resolved, That whenever a committee to which a bill is referred report in favor of its passage, that 75 copies be forthwith printed for the use of the Senate.

FOULKE.

Senator Bailey introduced Senate Bill No. 17, which is an act providing additional remedies in cases where insurance companies fail to pay policies issued by them, without suit.

Read first time and referred to Committee on Judiciary.

Senator Shively introduced Senate Bill No. 18; an act to regulate the practice of medicine.

Read first time and referred to Committee on Public Health and Vital Statistics.

Senator Foulke offered Senate Bill No. 19, as follows:

A bill for an act to amend section 272, of act concerning public offenses and their punishment, approved April 14, 1881.

Read the first time and referred to Committee on Elections.

Senator May introduced the following resolution:

Resolved, That when the Senate adjourn it be until 10:30 o'clock Monday morning.

Adopted.

Senator Hilligass offered the following concurrent resolution:

Resolved, That the Senate of the State of Indiana, the House concurring, does hereby congratulate the Soldiers of the State of Indiana, upon the triumphant election of General Mahlon D. Manson, a brave and gallant soldier of two wars, to the position of Lieutenant Governor of Indiana.

Senator Foulke moved to refer to a Special Committee of three.

The ayes and noes being demanded by Senators Hilligass and Johnston, and taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Drake, Foulke, Huston, Lindley, Macy, Moon, Overstreet, Shively, Smith of Delaware, and Youché. Total, 14.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Winter, and Zimmerman. Total, 30.

So the motion was rejected.

The question recurring on the resolution as amended, Senator Magee moved that further consideration be postponed until Monday morning at 10:30 o'clock.

The ayes and noes were demanded by Senators Foulke and Youche, and being taken resulted, ayes, 31; noes, 15.

So the Senate adjourned.

THOMAS HANNA,
President of the Senate.

MONDAY MORNING.

JANUARY 12, 1885.

The Senate met at 10:30, with Lieutenant Governor Hanna in the chair, and was opened with prayer by the Rev. J. Albert Rondthaler, of Tabernacle Presbyterian Church.

Minutes of Friday were read and adopted.

The following message was received from the House:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Bill No. 1, entitled a bill for an act appropriating one hundred and twenty-five thousand dollars to defray the expenses of the regular session of the Fifty-fourth General Assembly of the State of Indiana, and other matters connected therewith, and declaring an emergency, and the same is transmitted to the Senate for action.

H. C. DARNELL,

Clerk.

Senator McCullough presented the following:

MR. PRESIDENT:

I give notice that on to-morrow I will move the adoption of the following resolution, changing one of the rules of this Senate, viz:

Resolved, That rule eight of this Senate be changed by inserting the words "President of the," in line second of said rule, immediately preceding the word "Senate," now occurring in said line.

McCULLOUGH.

Senator Hilligass offered the following as a substitute to the amendment offered by Senator Foulke:

That the Senate of the State of Indiana hereby congratulates the soldiers of the State upon the election of Col. I. P. Gray, General Mahlon D. Manson, Captain William R. Myers, James H. Rice and Captain J. A. S. Mitchell, soldiers of the late war, and especially do we express our esteem and high regard for the personal and military worth of Lieutenant Governor Manson, who is so soon to become the presiding officer of the Senate.

Senator Willard moved the previous question.

The demand for the previous question was seconded by the Senate.

On vote as to whether previous question should be put, it was decided in the affirmative.

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Huston, Magee, May, McClure, McCullough, McIntosh, Null, Rahm, Richardson, Schloss, Sellers, Shively, Thompson, Weir, Willard and Zimmerman. Total, 28.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Howard, Lindley, Marshall, Moon, Overstreet, Winter. Total, 12.

So the motion prevailed.

A vote on the adoption of the substitute resulted in its adoption.

The resolution and substitute were then adopted.

House Bill No. 1, was read first time and referred to Committee on Finance.

Senator Magee, offered the following resolution :

Resolved, That the thanks of the Senate are hereby tendered to Hon. Thomas A. Hanna, Lieutenant Governor of Indiana, for the able and impartial manner in which he has presided over the deliberations of the 54th Session of the General Assembly, and that in his retirement to private life, he carries with him the well wishes of the Senate for his success and prosperity in life.

Adopted.

Senator Davis offered the following resolution :

Resolved, That the thanks of the Senate be, and they are hereby tendered the State Librarian, Miss Lizzie O. Callis, for courtesies extended to Senators, and for services in arranging this chamber for the convening of the Senate.

Resolved, That the thanks of the Senate be tendered his Honor Judge Howk, for services rendered in the organization of the Senate.

Senator May offered the following concurrent resolution :

Be it resolved by the Senate, the House of Representatives concurring, That our Representatives in Congress be requested, and our Senators are hereby instructed, to use their influence in securing the passage of appropriate laws granting pensions to the soldiers suffering from disabilities and injuries incurred in the service in the war of the rebellion, and amply providing for the widows and orphans of all such soldiers; and that they

make a united effort to repeal the Arrearage Act of 1879, so that all soldiers who received injuries and disabilities in the war may have their pensions begin at the date of the filing of their applications therefor in the Pensions Department.

Referred to the Committee on Federal Relations.

Senator Weir moved that the Senate do adjourn until 1:30 P. M.

Which was adopted.

The Senate then adjourned.

AFTERNOON SESSION.

JANUARY 12, 1885.

Senate met pursuant to adjournment.

Message from the House reported the concurrent resolution, as follows:

MR. PRESIDENT:

I am directed by the House to inform the Senate that it has concurred in Senate Concurrent Resolution No. 2, in relation to the inauguration of the Governor and Lieutenant Governor, and the same is hereby respectfully transmitted to the Senate.

H. C. DARNELL,
Clerk of the House.

Resolved by the Senate, the House of Representatives concurring, That the Senate meet the House in joint convention at the English Opera House, in the city of Indianapolis, on Monday, January 12, 1885, at 2 o'clock P. M., for the purpose of attending the inauguration ceremonies of the Governor and Lieutenant Governor elect; and, be it further

Resolved, That the Senate and House convene in their respective chambers at one and a half o'clock P. M., on said day, and proceed to the Opera House as a body.

Adjourned to meet Tuesday morning at 10 o'clock.

THOMAS HANNA,
President of the Senate.

TUESDAY MORNING.

JANUARY 13, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair, and was opened with prayer by Rev. Mr. Abbott.

The Journal was read, corrected and approved.

Senator Willard offered the following resolution:

Resolved, That Harry Richardson and Walter Woodman be continued as additional pages of the Senate.

On motion of Senator Fowler, resolution laid on the table.

Lieutenant Governor Manson reported the following pages, as his appointees: John F. Hanna, of Montgomery county; Harry Fritz, of Owen county, and Walter C. Taylor, of Crawford.

Lieutenant Governor Manson laid before the Senate the following communications from the Auditor of State, State Librarian and Chief Statistician.

INDIANAPOLIS, January 13, 1885.

Hon. Mahlon D. Manson, President of the Senate:

DEAR SIR—I herewith transmit to the honorable body over which you preside, the Fifth Annual Report of the Indiana Bureau of Statistics.

Very respectfully,

W. A. PEELE, JR.
Chief Bureau of Statistic.

INDIANAPOLIS INDIANA, January 13, 1885.

Hon. M. D. Manson, Lieutenant Governor :

SIR—I have this morning caused fifty (50) copies of my Biennial Reports to be sent to the Senate placing one each on the desk of Senators and one copy for yourself.

Very respectfully,

LIZZIE O. CALLIS,
State Librarian.

INDIANAPOLIS, January 13, 1885.

Hon. Mahlon D. Manson, President of the Senate

SIR—As the statutes require, I present my Annual Report for 1884 to the General Assembly, and cause copies of the same to be laid upon the desks of Senators, and also copies of the Annual Reports of 1883, which contains my report of that year, both of which gives “complete statements of the revenues, taxables, funds, resources, incomes and property of the State, known to this office, and of the public revenues and expenditures of the two preceding fiscal years, with a detailed estimate of the expenditures to be defrayed from the treasury, for the ensuing two years,”

Respectfully,

JAS. H. RICE,
Auditor of State.

Senator McCullough called up resolution in regard to changing rules.

Which was adopted.

MR. PRESIDENT:

I give notice that, on to-morrow, I will move the adoption of the following resolution, changing one of the rules of this Senate, viz:

Resolved, That rule eight of this Senate be changed by inserting the words, “President of the” in line second of said rule immediately preceding the word “Senate” now occurring in said line.

McCULLOUGH.

Senator Bailey offered the following resolution :

Resolved, That there be created a standing committee of this Senate, which shall be known as the Committee on Labor Questions; that said committee shall consist of seven Senators, to be appointed by the President, as are members of other standing committees.

Senator Foulke moved to refer to the Committee on Rules.
Adopted.

Senator Magee moved that a committee of five be appointed on rules.

Which was adopted.

Committee appointed: Senators Magee, Willard, Bailey, Moon and Foulke.

On motion of Senator Davis, leave of absence was granted Senator Winter for Monday and Tuesday.

Senator Willard moved that the roll be called for bills.
Carried.

Senator Bailey introduced Senate Bill No. 20 :

An act prohibiting the employment of any child under the age of fourteen years, by any person, firm, company, corporation or association engaged in mining coal, ore, or other mineral, manufacturing steel or iron, or any other kind of manufacturing whatever, providing a penalty and declaring an emergency.

Read first time, and referred to Committee on Mines and Mining.

Senator Brown introduced Senate Bill No. 21 :

An act to amend sections one, six, and twenty, of an act entitled "An act concerning highways and supervisors thereof," approved March 2, 1883, and declaring an emergency.

Read first time and referred to Committee on Roads and Highways.

Senator Campbell, of St. Joseph, introduced Senate Bill No. 22:

An act to amend section 3511 of the Revised Statutes of 1881, so as to permit the Commissioners of different counties to unite in the purchase of grounds and buildings for an orphans' home.

Read the first time and referred to Committee on Benevolent Institutions.

Senator Davis introduced Senate Bill, No. 23:

An act to amend an act amendatory of the sixth section of an act entitled "An act to authorize and limit allowances by Courts and Boards, and drafts upon county treasurers, approved May 27, 1852, and to authorize allowances to poor persons in certain cases," approved February 7, 1853, being section 1417 Revised Statutes of 1881.

Read first time and referred to Committee on County and Township Business.

Senator Day introduced Senate Bill, No. 24:

An act to amend section one, (1) of an act, entitled "An act to amend section fifty-three, (53) of an act entitled an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities and prescribing the powers and rights and the manner in which they shall exercise the same, and regulating such other matters as properly pertain thereto, approved March 14, 1867, and declaring an emergency," approved March 10, 1873, being section 3106 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Judiciary.

Senator Ensley introduced Senate Bill, No. 25:

An act changing time of holding Courts in counties of Steuben, Dekalb and Noble.

Read first time and referred to the Committee on Organization of Courts.

Senator Foulke introduced Senate Bill No. 26:

A bill for an act to provide for the call of a convention of the people of the State of Indiana, to make a new Constitution for

said State, and to provide for submitting said new Constitution to a vote of the qualified voters of said State of Indiana, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Fowler introduced Senate Bill No. 27, entitled :

An act to repeal an act entitled an act to authorize the appointment of a Commissioner of Fisheries for the State of Indiana, defining his duties and making an appropriation to defray the expenses thereof, approved March 26, 1881.

Read by title only and referred to Committee on Rights and Privileges.

Senator Hoover introduced Senate Bill No. 28, entitled :

An act relating to live stock, importing, breeding and herding companies, authorizing the incorporation of the same, providing the manner of conducting the same and declaring an emergency.

Read by title only and referred to Committee on Corporations.

Senator Huston introduced Senate Bill No. 29, entitled :

An act to amend section 4369 of the Revised Statutes of 1881, being an act to amend an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers, and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Macy introduced Senate Bill No. 30, entitled :

An act requiring railroad corporations and other persons operating and controlling railroads to fence their right of way and railroad track, and to construct barriers and cattle guards

at certain public roads and highway crossings, and to maintain and keep the same in repair, and prescribing remedies and penalties for failing to do so.

Read first time and referred to Committee on Railroads.

Senator Magee introduced Senate Bill No. 31, entitled :

An act to amend section two of an act entitled an act to amend sections 2, 3, 4, 5, 6, 7, 8 and 10 of an act entitled an act concerning drainage, approved April 8, 1881.

Read first time and referred to Committee on Swamp Lands and Drainage.

Senator Marshall introduced Senate Bill No. 32, entitled:

A bill for an act to repeal an act entitling aliens to hold and convey real estate, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator May introduced Senate Bill No. 33:

An act to legalize the incorporation of the town of Cannelton, Perry county, Indiana, the election and qualification of its several Boards of Trustees, and other officers, and all the acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Boards of Trustees of said town, and other matters connected therewith, and declaring an emergency.

Senátor ——— moved that the rules be suspended, the bill read a first and second time by title, and third time by sections, considered engrossed, and placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senator Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulker, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson,

Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Youche, and Zimmerman. Total, 46.

Those voting in the negative were:

Senator Baily. Total, 1.

So the rules were suspended and the bill read a second and third time and placed upon its passage.

The roll being called on the passage, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Youche and Zimmerman. Total, 48.

None voting in the negative.

So the bill passed.

On motion of Senator Hilligass, Senate adjourned.

AFTERNOON SESSION.

JANUARY 13, 1885.

Senate met, with Lieutenant Governor Manson in the chair.

The roll call for bills was continued.

Senator Moon introduced Senate Bill No. 34, entitled:

An act in relation to claims against municipal corporations, and the adjudication of the same.

Read first time and referred to Committee on Corporations.

Senator McCullough introduced Senate Bill No. 35, entitled :

A bill for an act concerning bridges and culverts.

Read the first time and referred to Committee on Roads and Highways.

Senator Null introduced Senate Bill No. 36:

An act to amend section 2 of an act approved March 10, 1873, the same being section 1375 of the Revised Statutes of 1881, entitled an act to fix the salaries of Judges of the Supreme Court, Superior and Criminal Circuit Courts of this State, and to provide for the time and manner of payment, and declaring an emergency.

Read first time and referred to the Committee on Organization of Courts.

Senator Overstreet introduced Senate Bill No. 37:

An act to amend section twenty of an act entitled, "An act concerning highways and Supervisors thereof," approved March 2, 1883, and declaring an emergency.

Read first time and referred to Committee on Roads.

Senator Rahm introduced Senate Bill No. 38, entitled:

"An act supplemental to an act entitled an act to provide for the incorporation of street railroad companies," approved January 4, 1861, being sections 4143 to 4154 of the Revised Statutes of 1881.

Read first time and referred to the Judiciary Committee.

Senator Schloss introduced Senate Bill No. 39, entitled :

A bill to amend section one of an act entitled "An act to amend section four of an act approved March 5, 1873, and of the Revised Statutes 4556, and to repeal all laws in conflict therewith," approved March 2, 1883.

Read first time and referred to Committee on Education.

Senator Shively introduced Senate Bill No. 40, entitled:

An act to repeal an act entitled an act concerning drainage, approved April 8, 1881, and amendments thereto, approved March 8, 1883, and declaring an emergency.

Read first time and referred to Committee on Swamp Land.

Senator Smith, of Jay, introduced Senate Bill No. 41:

A bill for an act entitled an act concerning the collection of attorneys' fees in certain cases, making it unlawful, and prescribing penalties.

Read the first time and referred to Committee on Judiciary.

Senator Smith, of Delaware, introduced Senate Bill No. 42:

An act for the protection of innkeepers, and limiting their liability.

Read the first time and referred to Committee on Judiciary.

Senator Thompson introduced Senate Bill No. 43:

An act to protect all citizens in their civil and legal rights, and prescribing penalties for the violation thereof.

Read the first time and referred to Committee on Rights and Privileges.

Senator Thompson asked for suspension of the rules, which was granted by consent, and he then introduced Senate Bill No. 44:

An act abolishing the office of City Assessor in cities in this State having a voting population of over twenty thousand, as shown by the votes cast for Governor in 1884, providing that the assessment of real and personal property, as made by the Township Assessor, shall serve as the assessment for city purposes; that proper city officers shall have access to the Assessor's books in the County Auditor's office for the purpose of transcribing therefrom a list of the property assessed, and declaring an emergency.

Read first time and referred to the Committee on the Judiciary.

Senator Weir introduced Senate Bill No. 45:

An act to create an Appellate Court, and defining the jurisdiction thereof.

Read the first time and referred to Committee on Judiciary.

Senator Weir, by consent of the Senate, introduced Senate Bill No. 46:

An act to validate acknowledgments and affidavits made by officers whose commissions have expired.

Read first time and referred to Judiciary Committee.

Senator Weir, by consent of the Senate, introduced Senate Bill No. 47:

An act in regard to the payment of employes of companies, corporations, individuals and associations doing business or employing labor in this State, and declaring an emergency.

Read the first time and referred to Committee on Judiciary.

Senator Willard introduced Senate Bill No. 48:

An act entitled an act to amend section 6 of an act entitled an act concerning highways and Supervisors thereof, approved March 2, 1883, and declaring an emergency.

Read first time and referred to Committee on Roads and Highways.

Senator Willard, by consent of the Senate, introduced Senate Bill No. 49, entitled:

A bill for an act entitled an act to amend section 32 of an act entitled an act concerning elections, and the contest thereof, approved April 21, 1881.

Read first time and referred to Committee on Elections.

Senator Youche introduced Senate Bill No. 50:

An act to amend section 1 of an act entitled an act to provide for the security and payment of laboring men and mechanics, approved March 29, 1879.

Read first time and referred to the Committee on Mines, Mining and Manufactures.

Senator Zimmerman introduced Senate Bill No. 51:

An act to amend section 275 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881.

Read first time and referred to Committee on Judiciary.

Senator Campbell, of Laporte, arose to a point of order, and stated that the Hon. Schuyler Colfax had this morning fell dead, and in respect to his memory he moved that the Senate adjourn.

Motion seconded and carried.

Thereupon the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

JANUARY 14, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by Rev. Mr. Abbott.

The Journal was read in part, and—

On motion of Senator Weir. the further reading was dispensed with.

Approved.

Message from the Governor:

INDIANAPOLIS, January 12, 1885.

The Honorable, the President of the Senate:

SIR—Pierre Gray has been appointed as my Private Secretary, and as such, is authorized to make and transmit Executive communications to the Senate.

ISAAC P. GRAY,
Governor.

Lieutenant-Governor Manson reported the following Standing Committees of the Senate:

Committee on Elections.—Senators Duncan, Faulkner, Hill, Hoover, Duncan of Hamilton, Drake and Ensley.

Committee on Finance.—Senators Willard, Johnston of Dearborn, Magee, Weir, Overstreet, Smith of Delaware, and Macy.

Committee on Judiciary.—Senators McCullough, Weir, Fowler, Smith of Jennings, Foulke, Winter, and Campbell of Hendricks.

Committee on Organization of Courts.—Senators Smith of Jay, Richardson, May, Ernest, Smith of Delaware, Drake and Macy.

Committee on Education.—Senators Johnson of Tippecanoe, Duncan of Brown, Willard, Null, Foulke, Macy and Moon.

Committee on Corporations.—Senators Null, Bailey, McCullough, Day, Overstreet, Campbell of Hendricks, and Davis.

Committee on Roads.—Senators Johnston of Dearborn, May, Peterson, Zimmerman, Moon, Campbell of St. Joseph, Smith of Delaware.

Committee on Benevolent and Reformatory Institutions.—Senators McClure, Howard, Hill, Smith of Jay, Bryant, Campbell of Hendricks, and Drake.

Committee on Agriculture.—Senators Hill, Peterson, McClure, Richardson, Shively, Marshall and Huston.

Committee on Banks.—Senators Schloss, Weir, Day, Smith of Jennings, Foulke, Lindley and Marshall.

Committee on Public Printing.—Senators Hilligass, Null, Smith of Jay, Thompson, Adkinson, Campbell of St. Joseph, and Foulke.

Committee on Public Buildings.—Senators Rahm, McCullough, Magee, Thompson, Overstreet, Huston and Youche.

Committee on State Prisons.—Senators Hoover, Faulkner, Null, Benz, Lindley, Campbell of St. Joseph, and Marshall.

Committee on Canals, Internal Improvements and Swamp Lands.—Senators Ernest, Hilligass, Sellers, Magee, Adkinson, Campbell of St. Joseph and Youche.

Committee on Fees and Salaries.—Senators Richardson, McIntosh, Howard, Brown, Moon, Adkinson and Davis.

Committee on Claims and Expenditures.—Senators Weir, Hilligass, Smith of Jennings, Rahm, Overstreet, Campbell of Hendricks, and Youche.

Committee on Military Affairs.—Senators Howard, Hilligass, Peterson, Hoover, Marshall, Lindley and Macy.

Committee on Phraseology, Titles and Arrangement of Bills, and Unfinished Business.—Senators Sellers, Bailey, Ernest, Zimmerman, Winter, Drake and Ensley.

Committee on Federal Relations, Rights and Privileges of the Inhabitants of the State.—Senators Faulkner, Shively, Bailey, Hoover, Winter, Ensley and Huston.

Committee on Temperance.—Senators Thompson, Johnston of Dearborn, Rahm, May, Johnson of Tippecanoe, Youche and Davis.

Committee on County and Township Business—Senators McIntosh, Hill, Peterson, Day, Bryant, Moon and Macy.

Committee on Public Health and Vital Statistics.—Senators Bryant, Shively, Howard, Sellers, Johnson of Tippecanoe, Drake and Ensley.

Committee on Insurance.—Senators May, Willard, Smith of Jennings, Fowler, Rahm, Smith of Delaware, and Winter.

Committee on Railroads.—Senators Magee, Day, Schloss, Benz, Foulke, Lindley and Overstreet.

Committee on Mines and Mining.—Senators Benz, McIntosh, Fowler, Zimmerman, Lindley, Drake, and Duncan of Hamilton.

Committee on Supervision and Inspection of Journals of the Senate.—Senators Brown, Bailey, Ernest, Bryant, Huston, Ensley and Davis.

Committee on Executive Appointments.—Senators Shively, Willard, Duncan of Brown, Brown, McClure, Davis, and Duncan of Hamilton.

Committee on Congressional Apportionment.—Senators Day, Richardson, McIntosh, Faulkner, Duncan, Schloss, Johnson of Tippecanoe, Brown, May, Winter, Youche, Adkinson and Davis.

Committee on Legislative Apportionment.—Senators Zimmerman, McCullough, Willard, McClure, Johnston of Dearborn, Fowler, Thompson, Smith of Jay, Huston, Marshall, Duncan of Hamilton, Ensley and Moon.

Senator Foulke asked to be excused from serving on the Railroad Committee.

Excused.

Senator Thompson asked to be excused from serving on the Temperance Committee.

Senators Magee and Smith, of Jay, objected.

Senator Smith, of Jay, was called to the Chair.

Senator Willard asked leave for the Committee on Finance to retire.

Granted.

Senator Foulke moved to pass on to regular business.

Carried.

Senator Foulke offered Concurrent Resolution No. 6, in reference to the loaning of the public funds by the State Treasurer, etc.

Senator Weir moved its reference to the Committee on Finance.

Senator Foulke objected.

Senator Hilligass moved that the resolution be postponed.

Which was seconded, and the previous question was demanded.

Senator Weir then withdrew his motion, and moved that the resolution be made a special order of business for next Monday at 2 o'clock.

The previous question was demanded and motion carried.

Senator Willard offered the following Concurrent Resolution:

Resolved by the Senate, the House of Representatives concurring therein, That a committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed to attend the funeral of ex-Vice President Colfax.

Senator McCullough moved to amend: That the committee should attend the funeral at their own expense.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Ernest, Faulkner, Hill, Johnston, McCullough, McIntosh, Richardson, Smith of Delaware. Total, 10.

Those voting in the negative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard, Youche, Zimmerman. Total, 36.

So the amendment was lost.

The ayes and noes being demanded and called on original resolution, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Willard, Winter. Total, 39.

Those voting in the negative were:

Senators Bailey, Ernest, Faulkner, Hill, McCullough, Richardson, Thompson, Zimmerman. Total, 8.

Resolution adopted.

Senator Willard moved to suspend the regular order of business and receive the report of Finance Committee on House Bill No. 1.

Carried.

The Finance Committee offered the following report:

MR. PRESIDENT:

The Committee on Finance, to whom was referred House Bill No. 1, return the same to the Senate with the recommendation that the same do pass.

JAS. H. WILLARD,
Chairman.

Senator Willard moved that the rules be suspended and that House Bill No. 1, be read the second and third times by sections and placed upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Youche, Zimmerman. Total, 46.

Those voting in the negative were:

Senator Benz. Total, 1.

Motion carried.

House Bill No. 1, was read a second and third time by sections and placed upon its passage.

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Youche and Zimmerman. Total, 47.

No one voting in negative.

So the bill passed.

Senator Youche asked leave of absence for Senator Campbell of St. Joseph, for to-day.

Granted.

Senator McCullough introduced the following resolution :

Resolved, That the various portions of each of the messages delivered by ex-Governor Porter and Governor Gray, to the present General Assembly, be delivered by the President of the Senate to the appropriate committees.

Adopted.

Senator Bailey introduced the following resolution :

Resolved, That there be appointed by the President of this Senate a special committee of five, whose duty it shall be to consider and report upon the propriety of introducing before this body a bill providing that certain cities of this State having efficient fire departments shall be empowered to levy upon all property holders within such cities, a special tax, which shall be reserved as a fire insurance fund, and that such cities shall, under conditions provided by such law, be liable to any property holder for loss sustained from fire.

Adopted.

Committee appointed : Senators Bailey, Day, Sellers, Marshall and Youche.

Senator Day introduced the following resolution:

Resolved, That Senate Bill No. 24, go to a Special Committee of seven, composed of members from the principal cities of the State to be appointed by the Chair.

Adopted.

Chair appointed the following committee:

Senators Thompson, Null, Rahm, Day and Johnson.

Senator Smith of Jay, introduced Senate Bill No. 52:

An act to protect sheep husbandry, to regulate matters connected therewith, to provide for registering, taxing and killing dogs.

Read first time and referred to Committee on Judiciary.

Senator Magee introduced Senate Bill No. 53:

An act to amend an act entitled "An act regulating descents and apportionments of estates."

Read first time and referred to Committee on Judiciary.

Senator Foulke moved that the roll be called for bills.

Rejected.

On motion of Senator Hoover, Senate adjourned.

AFTERNOON SESSION.

JANUARY 14, 1885.

Senate met with Lieutenant Governor Manson, in the chair.

Senator Fowler asked that his bill, No. 27, presented yesterday and read by title be read by sections. Granted.

Senate Bill No. 27 was read first time and referred to Committee on Rights and Privileges.

Senator May offered the following report:

MR. PRESIDENT :

We, the undersigned Senators, Chairmen of the following group of committees, viz: The Committee on Organization of Courts, on Banks, on Fees and Salaries, and Corporations and Insurance, do appoint Mr. Joseph P. Clements, of Perry county, Clerk of the above group.

H. J. MAY, Insurance.

E. P. RICHARDSON, Fees and Salaries.

L. S. NULL, Corporations.

PHILIP SCHLOSS, Banks.

JOHN M. SMITH, Organization of Courts.

The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House of Representatives has concurred in Senate Resolution No. 7, providing for the appointment of three members of the House to attend the funeral of the late Schuyler Colfax, and that the Speaker of this House has appointed Messrs. Toner of Fulton, McClelland of Porter, and Dunn of Jasper, as a committee upon the part of the House to attend the funeral.

Senator Bailey introduced Senate Bill No. 54 :

An act to secure to operatives and laborers engaged in and about coal, ore and other mines, manufactories of iron and steel, and all other manufactories, and by all railroad companies or corporations, the payment of their wages at regular intervals' and in lawful money of the United States, and repealing all laws or parts of laws inconsistent therewith.

Read first time and referred to Committee on Labor and Labor Statistics.

Senator Benz introduced Senate Bill No. 55, entitled :

An act concerning the behavior of lifetime convicts in the State prisons and the Indiana Reformatory for Women and Girls.

Read first time and referred to Committee on Prisons.

Lieutenant Governor Manson announced that he had appointed Senators Adkinson and May, to represent the Senate at ex-Vice President Colfax's funeral.

Senator Brown introduced Senate Bill No. 56 :

An act concerning taxation of railroads, repealing all laws and parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Railroads.

Senator Davis introduced Senate Bill No. 57, entitled :

An act to amend section six, (6) of an act entitled " An act to authorize cities and incorporated towns to construct, maintain and operate water works, issue and sell bonds to pay for such construction, repealing all laws in conflict with this act, and declaring an emergency ;" approved March 25, 1879. [Section 3270 Revised Statutes.]

Read first time and referred to Committee on Corporations.

Senator Day introduced Senate Bill No. 58 :

An act to amend sections 5998 and 5999 Revised Statutes, an act regulating the reports of Township Trustees, approved February 15, 1859.

Read first time and referred to Committee on County and Township Business.

Senator Drake introduced Senate Bill No. 59, entitled :

A bill to fix the time of holding Courts in the 34th Circuit.

Read first time and referred to Committee on Organization of Courts.

Senator Foulke introduced Senate Bill No. 60, entitled :

A bill for an act relating to the study of Physiology and Hygiene, and effects of alcoholic stimulants and narcotics in the public schools.

Read first time and referred to Committee on Education.

Senator Duncan, of Brown, introduced Senate Bill No. 61, entitled :

An act concerning County Commissioners and regulating the term of office thereof.

Read first time and referred to Committee on County and Township Business.

Senator Hoover introduced Senate Bill No. 62, entitled :

An act to provide for the continuance of a term of court when a trial is in progress at the expiration of the regular term.

Read the first time and referred to the Committee on Judiciary.

Senator Fowler introduced Senate Bill No. 63, entitled :

An act to repeal an act entitled "An act to authorize aliens to hold title to real estate, convey the same," etc., approved April 16, 1881.

Read first time and referred to Committee on Judiciary.

Senator Macy introduced Senate Bill No. 64, entitled :

An act to amend section 5 of an act authorizing the appointment of short-hand reporters for certain Courts of record in this State in counties containing a population of 70,000 or more, and prescribing the duties and compensation thereof.

Read first time and referred to Committee on Judiciary.

Senator Magee introduced Senate Bill No. 65, entitled :

A bill for an act providing for an act for the completion and equipment of three additional Hospitals for Insane, and for the support thereof.

Read the first time and referred to the Committee on Public Buildings.

Senator May introduced Senate Bill No. 66, entitled :

An act establishing provisions respecting private corporations created and existing at and prior to November 1, 1851, and other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Corporations.

Lieutenant Governor Manson appointed Senators Smith of Jennings, Ernest and Smith of Delaware, as Joint Committee on Enrolled Bills.

Senator McCullough introduced Senate Bill No. 67, entitled :

An act concerning the collection of taxes of incorporated towns and cities.

Read the first time and referred to the Committee on Judiciary.

Senator Overstreet introduced Senate Bill No. 68, entitled :

An act to amend section 12 of an act entitled "An act concerning drainage," approved April 8, 1881, and declaring an emergency.

Read first time and referred to Committee on Swamp Lands.

Senator Rahm introduced Senate Bill No. 69, entitled :

An act to annul section 1 of an act in relation to marriages, approved July 2, 1877, (being section 5324 of the Revised Statutes of 1881.)

Read the first time and referred to the Committee on Judiciary, with the request that the committee report Thursday morning.

Senator Schloss introduced Senate Bill No. 70, entitled :

An act in relation to the unexpended balances of general and specific appropriations, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Sellers introduced Senate Bill No. 71:

An act to legalize and make valid the sale and conveyance of real estate by cities, and incorporated under the general law for the incorporation of cities, where such sale and conveyance has been made upon a vote of a majority of the Common Council of such city, and without appraisement, and declaring an emergency.

Read first time and referred to Committee on Corporations.

MR. PRESIDENT:

We, your committee, beg leave to report that we have examined House Bill No. 1, and, having compared the enrolled bill with the original, we find it correct.

A. G. SMITH,
Chairman.

Senator Shively introduced Senate Bill No. 72:

An act to provide for a reduction of fees, to require county officers to keep an account of fees, and pay into the treasury certain amounts where their fees exceed two thousand dollars.

Read first time and referred to Committee on Fees and Salaries.

Senator Smith, of Jennings, introduced Senate Bill No. 73:

An act for the better government and regulation of the Hospital for the Insane.

Read the first time and referred to the Committee on Benevolent and Reformatory Institutions.

Senator Smith, of Delaware, introduced Senate Bill No. 74:

An act defining the Twenty-Fifth Judicial Circuit, creating the Forty-Sixth Judicial Circuit.

Read first time and referred to Committee on Organization of Courts.

Senator Thompson introduced Senate bill No. 75, entitled:

An act to pay to P. Kirland for a swamp land ditching claim against the State of Indiana.

Read the first time and referred to the Committee on Corporations.

Senator Weir introduced Senate Bill No. 76, entitled:

An act to amend section 471 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, so as to exempt State officers and Prosecuting Attorneys acting as relators for the State from liability for cost, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Youche introduced Senate Bill No. 77:

A bill for an act to prevent townships in this State from making or voting any appropriation of money to aid any railroad company in constructing its railroad, and repealing all conflicting laws.

Read the first time and referred to the Committee on Railroads.

Senator Zimmerman introduced Senate Bill No. 78:

An act to amend section 38 of an act concerning proceedings in civil cases, approved April 7, 1881, and being section 293 Revised Statutes.

Read first time and referred to Committee on Judiciary.

Senator Hilligass introduced Senate bill No. 79:

An act to amend section 8 of an act which became an act by lapse of time, March 7, 1883, entitled an act to provide for the taxation of dogs, to regulate matters connected therewith, and providing penalties for the violations of this act, and to repeal an act entitled an act to protect sheep husbandry, to regulate matters connected therewith, to provide for registration, taxing and killing dogs, approved April 13, 1881, and declaring an emergency.

Read first time and referred to the Committee on County and Township Business.

Senator Day introduced Senate Bill No. 80, entitled:

An act to amend section thirty (30) of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescrib-

ing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as pertain thereto," approved March 14, 1867, being section 3078 of the Revised Statutes of 1881.

Read first time and referred to Special Committee of seven, on Cities.

Senator Bailey introduced Senate Bill No. 81, entitled:

An act to amend section one of an act entitled "An act to amend an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852, approved February 26, 1867."

Read the the first time and referred to Committee on Organization of Courts.

Lieutenant Governor Manson, reported the following changes on the Standing Committees:

Senator Macy changed to Committee on Executive Appointments.

Senator Duncan, of Tipton, changed to Committee on Education.

Senator Winter, changed to Committee on Railroads.

Senator Magee reported as follows from the Committee appointed to procure a desk for the Secretary:

MR. PRESIDENT:

The Committee appointed heretofore to procure a desk for the Secretary, have to report that they have purchased a suitable desk, for the sum of eight dollars.

MAGEE.

On motion, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

JANUARY 15, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by Senator Campbell of St. Joseph.

The Journal was read, corrected and approved.

Senator Adkinson was substituted for Senator Huston on the Building Committee.

Senator Schloss was added to committee of seven appointed yesterday on cities.

Senator Lindley asked leave of absence for Senator Hoover until next Monday at 2 o'clock.

Granted.

Senator May asked leave of absence for Senator Shively until next Monday at 2 o'clock.

Granted.

Senator Adkinson asked leave of absence for Senator Hilligass until Monday at 2 o'clock.

Granted.

Senator Smith asked leave of absence for Senator Weir until Monday at 2 o'clock.

Granted.

Senator Smith, of Delaware, asked that the Journal be corrected, he having voted in the affirmative, and was recorded as having voted in the negative on the resolution in reference to the appointment of a committee to attend the funeral of ex-Vice President Colfax.

Senator Campbell, of St. Joseph, informed the Senate that he had informed Mrs. Colfax of the action of the Senate out of respect for Mr. Colfax.

For which she thanked the Senate.

Senator McCullough, from the Committee on Judiciary, reported that the committee was unable to report on Senate Bill No. 69, and asked until Friday morning to make said report.

Granted.

Senator Drake offered the following resolution :

WHEREAS, Senator Henry Hostetter, a member of the Senate in the Fifty-third General Assembly, departed this life before the expiration of his term of office ; therefore, be it

Resolved by the Senate, That we hereby express our acknowledgment of his high personal character and official integrity, and direct that this resolution be spread upon the records of the Senate.

Senator Youche moved to amend by requiring the Secretary to forward a copy of this resolution to the family.

Amendment accepted by Senator Drake.

And the resolution was then adopted.

Senator Campbell called up the resolution in regard to the pay of Senate employes, presented on last Friday and made the special order for Wednesday at 10 o'clock.

Senator Hilligass moved that the resolution be indefinitely postponed.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Zimmerman. Total, 31.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware, Winter. Total, 16.

So the motion carried.

Senator Sellers offered the following resolution :

Resolved, That the Doorkeeper of the Senate be instructed to purchase for the use of the Senate, twenty-five waste-baskets, at an expense not exceeding thirteen dollars, and that he shall also purchase for the use of the Senate, four thermometers.

Adopted.

Senator Magee offered the following resolution :

Resolved, That so much of the Governor's Message as relates to the public debt be referred to the Committee on Finance.

That part relating to the educational interests of the State, to the Committee on Education.

That part relating to the Treasury of State, to a select committee hereafter to be appointed.

That part referring to reformatory institutions, to the Committee on Prisons.

That part relating to benevolent institutions, to the Committee on Benevolent Institutions.

That portion relating to the erection and completion of the additional hospitals for the insane and State House, to the Committee on Public Buildings.

For the purpose of taking such action on the suggestions of the Governor as the respective committees named above may deem necessary.

Adopted.

Senator Rahm offered the following resolution :

Resolved, That Senator Foulke be and is hereby added to the Committee on Public Buildings.

Adopted.

Senator Weir offered the following resolution :

Resolved, That the Doorkeeper be directed to call upon the pastors of the different churches and arrange with them for their presence at the opening of the Senate from day to day, under the resolution heretofore adopted.

Adopted.

Senator Zimmerman submitted the following report, which was concurred in, to-wit :

MR. PRESIDENT:

The following chairmen of the following standing committees met and elected Jos. L. Riley, of Jennings county, for Committee Clerk during the session for the within named group of committees of sixteen :

Senator Duncan, Committee on Elections.

Senator Hoover, Committee on State Prisons.

Senator Ernest, Committee on Canals.

Senator Howard, Committee on Military.

Senator Sellers, Committee on Phraseology.

Senator Thompson, Committee on Temperance.

Senator McIntosh, Committee on County and Township Business.

Senator Bryant, Committee on Public Health and Vital Statistics.

Senator Benz, Committee on Mines and Mining.

Senator Day, Committee on Congressional Apportionment

Senator Zimmerman, Committee on Legislative Apportionment.

Senator Brown, Committee on Supervision Senate Journal.

Senator Shively, Committee on Executive Appointments.

Senator Hill, Committee on Agriculture.

Senator Hilligass, Committee on Public Printing.

Senator Rahm, Committee on Public Buildings.

Senator Johnston, Committee on Roads.

Senator Willard submitted the following report, from the Special Committee on Committee Rooms for Senate, to-wit:

MR. PRESIDENT:

Your Special Committee, for the purpose of securing committee rooms, would report that they have received the following bid for five committee rooms on the first floor of each of the hotels named herein for the following sums: Grand Hotel, \$600; Occidental Hotel, \$500, and Bates House, \$550. We herewith submit the propositions to the Senate.

JAS. H. WILLARD, Chairman.
J. H. LINDLEY,
FREDERICK HOOVER.

Senator Hilligass moved that the Special Committee on Rooms be continued until Friday morning.

Adopted.

Senator Drake introduced Senate Bill No. 82:

An act to amend Section 12 of an act entitled an act concerning drainage, approved April 8, 1881.

Read first time and referred to Committee on Swamp Lands.

Senator Campbell, of St. Joseph, introduced Senate Bill No. 83:

An act concerning the building of bridges, to amend an act entitled an act concerning highways and Supervisors thereof, approved March 2, 1883.

Read first time and referred to Committee on Roads.

Senator Ernest, by consent, submitted a petition of sundry persons on educational matters, etc., which was referred to Committee on Education.

Senator Foulke introduced Senate Bill No. 84:

An act to provide for the speedy publication by the Reporter of the Supreme Court, and distribution and sale of the "Indiana Reports," and repealing all laws upon the same subject, except the first section, entitled an act for the election of a Re-

porter of the Supreme Court, the speedy publication of the decisions of such Court, and for the compensation of such Reporter, approved March 13, 1875.

Read first time and referred to Committee on Judiciary.

Senator Foulke, by consent, submitted the following petition of sundry citizens of the State of Indiana in reference to the office of Reporter of the Supreme Court.

Which was referred to the Committee on Judiciary.

Senator Fowler introduced Senate Bill No. 85, entitled :

An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State.

Read the first time, and referred to the Committee on Legislative Apportionment.

Senator Hill introduced Senate Bill No. 86, entitled :

An act to amend section two (2) of an act entitled "An act to authorize cities and incorporated towns to construct, maintain and operate water-works, issue and sell bonds to pay for such construction, repealing all laws in conflict with this act, and declaring an emergency." Approved March 25, 1879, being section 3266 of the Revised Statutes of 1881.

Read the first time, and referred to the Committee on Corporations.

Senator Howard was called to the chair by the President.

Senator Hilligass introduced Senate Bill No. 87, entitled :

An act to legalize the incorporation of the Union Loan and Savings Company, of Marion county, State of Indiana, and to legalize all the acts thereof, and all contracts made by and with said company, and all the official acts of the board of directors thereof, and declaring an emergency.

Read the first time, and referred to the Committee on Corporations.

Senator Howard introduced Senate Bill No. 88, entitled :

An act supplemental to an act entitled, "An act for the organization and regulation of the Indiana militia, prescribing penalties for violations of said regulations; providing for the election and appointment of officers, defining the duties of military and civil officers, and penalties for the neglect or violation thereof; providing for courts-martial, councils of administration and military encampments; making appropriations for the support of said militia, repealing all laws heretofore enacted on the subject, saving certain acts therein named, and declaring an emergency for the immediate taking effect thereof," approved May 11, 1861, and matters connected therewith, etc., etc., etc.

Read first time and referred to Committee on Military. .

Senator Macy introduced Senate Bill No. 89, entitled :

An act to amend sections 1 and 7, of an act entitled an act, providing for the election and prescribing certain duties of the clerk of the Supreme Court, approved May 13, 1852, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Magee offered Senate Bill No. 90, entitled :

A bill for an act to amend an act entitled an act regulating insanity, inquests, and the committal of insane persons to hospitals for the insane and their discharge therefrom, approved April 14, 1881.

Read the first time and referred to Committee on Judiciary

On motion adjourned.

AFTERNOON SESSION.

JANUARY 15, 1885.

The Senate met pursuant to adjournment, Lieutenant Governor Manson in the Chair.

The call of the roll for bills was continued.

Senator McCullough introduced Senate Bill No. 91, entitled:

An act to amend sections 1 and 2, of an act approved March 8, 1883, entitled an act supplementary to an act entitled an act to establish public libraries, approved February 16, 1852.

Read first time and referred to Committee on Education.

The following message was received from the House, to-wit:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House of Representatives has passed House Concurrent Resolution No. 2, in relation to the appointment of a joint committee to prepare suitable resolutions in relation to the death of the late Schuyler Colfax, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk House Rep.

Senator Magee asked unanimous consent to suspend the rules and take up House Concurrent Resolution No. 2, in reference to the appointment of a committee for the purpose of drafting suitable resolutions on the death of the Hon. Schuyler Colfax.

Rules suspended and resolution adopted.

Committee appointed: Senators Magee and Foulke.

Senator Rahm introduced Senate Bill No. 92, entitled:

An act providing for the organization and administration of the additional hospitals for the insane.

Read first time and referred to Committee on Judiciary.

Senator Schloss introduced Senate Bill No. 93, entitled :

An act to suppress and prevent the spread of pleuro-pneumonia among cattle, and glanders in horses, mules and asses.

Read first time and referred to Committee on Agriculture.

Senator Sellers introduced Senate Bill No. 94, entitled :

An act concerning the duties and compensation of the Reporter of the Supreme Court, and the publication and sale of Reports by the State.

Read first time and referred to Committee on Judiciary.

Senator Sellers submitted a petition from sundry citizens of the State of Indiana, with Senate Bill No. 94.

Referred to the Committee on Judiciary.

Senator Thompson introduced Senate Bill No. 95, entitled :

An act establishing a State Board of Health, and declaring an emergency.

Read first time and referred to Committee on Sanitary and Vital Statistics.

Senator Winter introduced Senate Bill No. 96, entitled :

A bill authorizing manufacturing corporations to buy and sell certain kinds of goods not of their own manufacture.

Read the first time and referred to the Committee on Corporations.

Senator Youche introduced Senate Bill No. 97, entitled :

An act to amend section 5 of an act entitled an act to regulate the granting of licenses to sell intoxicating liquors, etc.

Read first time and referred to Committee on Temperance.

Roll call for bills continued by unanimous consent.

Senator Bailey introduced Senate Bill No. 98, entitled :

An act for the relief of Jesse A. Avery, Trustee of Pike township; Cornelius B. Wadsworth, Trustee, and William B. Flick, late Trustee of Lawrence township; William H. Speer,

late Trustee of Wayne township, and his sureties, Robert W. Harding and Israel F. Connoroe; Joseph L. Hunter, Trustee of Warren township; Thomas W. Janeway, Trustee of Decatur township; Chris Grube, Trustee of Perry township, and Harvey P. Matthews, Trustee of Franklin township, all of Marion county, State of Indiana, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Brown introduced Senate Bill No. 99, entitled :

An act to amend an act amendatory to an act approved May 5, 1869, being an act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed; approved March 6, 1865, being section 4497 of the Revised Statutes of 1881.

Read first time and referred to Committee on Education.

Senator Campbell, of St. Joseph, introduced Senate Bill No. 100, entitled :

An act to amend section 3261 of the Revised Statutes of 1881, concerning tracts of land located in cities or towns and used for agricultural purposes, to make taxes thereon the same as other property in the civil township outside of the city or town, except for school purposes, which shall be the same as other property in the city.

Read first time and referred to the Committee on Corporations.

Senator Day introduced Senate Bill No. 101, entitled :

An act to amend section 67 of an act entitled an act concerning proceedings in criminal cases, approved April 19, 1881, and repealing all conflicting statutes; said act hereby amended being section 1640 of the Revised Statutes of 1881.

Read first time and referred to Special Committee of Seven on Cities.

Senator Foulke introduced Senate Bill No. 102, entitled :

A bill for an act amending section 57 of an act for the incorporation of towns, approved January 11, 1852, as amended by section 1 of an act approved March 12, 1877.

Senator Foulke moved that the rules be suspended, and the bill read the second and third times, and put upon its passage. The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Overstreet, Rahm, Richardson, Smith of Jennings, Smith of Delaware, Thompson, Winter. Total, 26.

Those voting in the negative were :

Senators Brown, Bryant, Davis, Day, Ernest, Faulkner, Howard, Null, Peterson, Schloss, Sellers, Smith of Jay, Willard, Zimmerman. Total, 14.

Motion failed for want of the constitutional two-thirds majority, and, on motion, referred to Committee on Towns and Township Business.

Senator Fowler introduced Senate Bill No. 103, entitled :

An act to repeal an act entitled an act providing for the establishment of a State Bureau of Statistics and Geology, creating the office of Chief of such department, defining his duties, providing for the collection of statistics on agriculture, manufacture, commerce, education, labor, social and sanitary subjects, making said chief curator of the geological cabinet, and appropriating money to carry out the provisions of the act, approved March 29, 1879, etc.

Read first time and referred to Committee on Rights and Privileges.

Senator Schloss introduced Senate Bill No. 104, entitled :

A bill for the relief of Lewis S. Calder, together with sundry petitions.

Read first time and referred to the Committee on Judiciary.

Senator Sellers introduced Senate Bill No. 105, entitled:

An act to repeal section 9 of an act to amend an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, and adding supplemental sections thereto, approved March 8, 1873, being section 4520 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to Committee on Education.

Senator Smith, of Jay, introduced Senate Bill No. 106:

An act to appropriate the sum of ten thousand dollars to aid in maintaining, preserving and enlarging Indiana exhibit at the World's Industrial and Cotton Centennial Exposition, and matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Thompson introduced Senate Bill No. 107:

A bill to amend section 7, Chapter 6135, Revised Statutes of Indiana, and authorizing Boards of Directors to appoint male or female moral instructors to each penitentiary at the discretion of the Directors, and declaring an emergency.

Read first time and referred to Committee on Prisons.

Senator Campbell, of St. Joseph, introduced Senate Bill No. 108:

An act creating a county dog fund, the surplus to go to the school fund, after all the orders drawn by all townships for killing sheep shall have been paid.

Read first time and referred to Committee on Agriculture.

On motion, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

JANUARY 16, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by Rev. Mr. Townsend, member of the House of Representatives.

The Journal was read in part and approved.

Senator Sellers asked that Senator Hoover be excused from acting on the committee to secure rooms for the Senate committees.

Granted.

And the President appointed Senator Fowler on said committee.

Senator Schloss moved that when this Senate adjourn this morning it be until next Monday at 10 o'clock.

Senator Foulke moved to amend by saying that when the Senate adjourns this afternoon, it be until Monday at 10 o'clock.

Adopted.

Senator Bailey presented a petition from sundry citizens in reference to public schools.

Which was, on motion, referred to Committee on Education.

Senator Lindley presented a petition from sundry citizens in reference to public schools.

Which was, on motion, referred to Committee on Education.

Senator McCullough submitted the following report:

MR. PRESIDENT:

The undersigned, chairman of your Judiciary Committee, begs leave to report that he has appointed Edwin Smith, of Gibson county, Indiana, clerk of said committee.

J. E. McCULLOUGH,
Chairman.

Senator McCullough, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on the Judiciary, to whom was referred Senate Bill No. 69, a bill to amend section 1 of an act in relation to marriages, etc., have had the same under consideration, and direct me to report that they recommend that said bill be indefinitely postponed.

McCULLOUGH,
Chairman.

Senator Ensley presented a petition from sundry citizens in reference to public schools.

Which was, on motion, referred to Committee on Education.

Senator McCullough, from the Committee on Judiciary, submitted the following report, to-wit:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate Bill No. 17, an act providing for additional remedies in cases where insurance companies fail to pay policies issued by them, have had the same under consideration, and direct me to report the bill back to the Senate with the recommendation that it be laid on the table.

McCULLOUGH,
Chairman.

Concurred in.

Senator McCullough, from the Judiciary Committee, submitted the following report:

MR. PRESIDENT :

Your Committee on the Judiciary, to whom was referred Senate Bill No. 26, entitled an act to provide for a Constitutional Convention, have had the same under consideration. A majority of the committee, direct me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

McCULLOUGH,
Chairman.

Senator Foulke submitted a minority report from the Committee on Judiciary on Senate Bill No. 26, as follows :

MR. PRESIDENT :

The undersigned a minority of the Committee on Judiciary, report Senate Bill No. 26 back with the recommendation that it do pass.

WINTER,
CAMPBELL, of Hendricks,
FOULKE.

On motion, the report was made a special order for Wednesday, January 21, at 2 P. M.

Senator McCullough, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT :

Your Committee on Judiciary to whom was referred Senate Bill No. 32, a bill for an act to repeal an act entitling aliens to hold and convey real estate, have had the same under consideration and direct me to report the bill back to the Senate with the recommendation that it be laid on the table.

J. E. McCULLOUGH,
Chairman.

Senator McCullough, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT :

Your Committee on Judiciary to whom was referred Senate Bill No. 24, a bill for an act concerning cities, direct me to report the bill back to the Senate with the recommendation that it be referred to the special committee of seven upon cities.

McCULLOUGH,
Chairman.

Concurred in.

Senator Smith of Jennings, submitted a report from the Judiciary Committee, as follows :

MR. PRESIDENT :

The Committee on Judiciary to whom was referred Senate Bill No. 2, being an act concerning real estate and the alienation thereof, have had the same under consideration and recommend that the same be amended as follows, and when so amended the same do pass.

McCULLOUGH,
Chairman.

Senator Magee moved that Bill No. 2, be considered engrossed, read a third time by sections and placed upon its passage.

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss Sellers, Smith of Jennings, Smith of Delaware, Youche. Total, 32.

Those voting in the negative were:

Senators Bryant, Davis, Duncan of Brown, Faulkner, Macy, Smith of Jay, Willard and Zimmerman. Total, 8.

So the motion was lost for want of the constitutional two-thirds majority.

MR. PRESIDENT:

I am instructed by the House to inform the Senate, that the House of Representatives has passed Senate Concurrent Resolution No. 3, instructing our Senators and requesting our Representatives in Congress, to use their influence to secure the passage of House Bill No. 420, to pension prisoners confined in Confederate prisons during the late war, and the same is herewith transmitted to the Senate.

DARNELL,
Clerk of House.

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House of Representatives has passed House Bill No. 88, for an act to fix the time of holding Court in the Thirty-first Judicial Circuit and declaring an emergency. The same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has appointed Messrs. Cory, Staley and Smith of Tippecanoe, as a committee on the part of the House, to present suitable resolutions in respect to the memory of the late Schuyler Colfax.

DARNELL,
Principal Clerk.

Senator Willard moved that the pay of pages be fixed at \$2 per day.

Carried.

Senator Campbell, of St. Joseph, asked leave of absence for Senator Davis until 2 o'clock Monday.

Granted.

Senator Smith, of Jennings, asked leave of absence for Senator Brown until Monday at 2 o'clock.

Granted.

Senator Day introduced Joint Resolution No. 2, in reference to messages from the different houses.

Referred to the Committee on Rules.

Senator Day introduced the following resolution, to-wit:

Resolved, That there be and is hereby created a standing committee of this Senate, which shall be known as the Committee on Cities; that the members of such committee shall consist of seven Senators, to be appointed as are members of other standing committees.

On motion referred to Committee on Rules.

Senator Adkinson presented the following resolution:

WHEREAS, The World's Industrial and Cotton Centennial Exposition is now in progress at the city of New Orleans; and,

WHEREAS, the State of Indiana is represented at said exposition, and attention to the matter has been recommended by the Governor of the State; therefore, be it

Resolved, That James R. Carnahan, the Commissioner for the State of Indiana, be invited to appear before the Senate at his earliest convenience, to address this body in regard to Indiana's exhibit, and give to the Senate such information in regard to said exposition as he may deem of importance.

L. D. ADKINSON,
Senator from Miami and Howard.

Adopted.

Senator Macy introduced the following resolution :

WHEREAS, There are a number of bills introduced, and now pending before this Senate, creating new and additional Circuit Courts, and that if such proposed legislation is had it will create large additional expenses and burthens upon the State, and which should not be done unless there exists a real necessity therefor; and as there is now no reliable data at hand whereby this Senate can inform itself of the relative amount of business coming before the several Courts of this State, and thereby be enabled to judge of the justice or necessity of said proposed legislation; therefore, be it

Resolved, That there be a committee of three appointed whose duty it shall be to ascertain from the Clerks of the Circuit Courts of the several counties of this State the following facts:

First—The whole number of civil causes begun.

Second—The whole number of criminal causes begun.

Third—The whole number of probate causes begun (meaning real estate sales, etc.)

Fourth—The whole number of estate settled and in process of settlement, and,

Fifth—The whole number of guardianships settled and pending in each of said Courts from the first day of January, 1881, to January 1, 1885, inclusive.

Senator Adkinson introduced Joint Resolution No. 3 :

In reference to the home for the sick and disabled Indiana soldiers and seamen, and their orphans and widows, and which is known as the Indiana Soldiers' and Seaman's Home, at Knightstown, Henry county, Indiana.

Senator Willard moved to refer to the Committee on Rules.

Senator May moved to amend by referring to Committee on Benevolent and Reformatory Institutions.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Howard, Johnston, Magee, May, McCullough, McIntosh, Null, Peterson, Richardson, Sellers, Smith of Jay, Willard, Zimmerman. Total, 22.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Ensley, Foulke, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Jennings, Smith of Delaware, Thompson, Winter, Youche. Total, 17.

So the amendment carried.

Senator Willard asked leave of absence for Senator Schloss until Monday.

Granted.

Senator Bailey introduced Senate Bill No. 109, which was partially read.

And on motion of Senator Magee, the further reading be dispensed with, and that the Senate adjourn.

Carried.

AFTERNOON SESSION.

JANUARY 16, 1885.

Senate met at 2 o'clock, Lieutenant-Governor Manson in the chair.

On motion Senator Zimmerman was granted leave of absence until next Monday.

Senator Duncan, of Tipton, moved that the constitutional rules be suspended, and he be permitted to call up House Bill No. 88.

Roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Smith of Jennings, Thompson, Willard, Winter, Youche. Total, 35.

Those voting in the negative were:

Senator Smith of Jay. Total, 1.

So the rules were suspended.

The bill was read a first and second time by title; the report of the committee was adopted; the bill was read a third time by sections.

The question being, Shall the bill pass?

The ayes and noes were taken, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Smith of Jennings, Smith of Jay, Thompson, Willard, Winter, Youche. Total, 35.

No one voting in the negative.

So the bill passed.

The title was adopted as read.

The following message was received from the House :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 5, in relation to soldiers' pensions, and other matters connected therewith. Also, House Concurrent Resolution No. 4, in relation to the present pension law, and requesting our Representatives and instructing our Senators to change the same, and the same are referred to the Senate for its action thereon.

DARNELL,
Principal Clerk.

Senator Fowler asked leave of absence for Senator Sellers until Monday.

Granted.

Senator Bailey introduced Senate Bill No. 109, entitled :

An act providing for the inspection of steam boilers, the appointment of a State Boiler Inspector, the licensing of engineers in charge of steam boilers, and the creation of a Board of Engineers.

Read first time and referred to the Committee on Labor.

Senator Bryant introduced Senate Bill No. 110, entitled :

An act to protect the people of Indiana in the sale of poisons, and the compounding of medicines by incompetent persons.

Read first time and referred to the Committee on Public Health.

Senator L. M. Campbell introduced Senate Bill No. 111, entitled :

An act in relation to the election and appointment of Judges of the Circuit Court and county officers, and to render the commencement of the term of such officers more uniform.

Read the first time and referred to the Committee on Corporations.

Senator Fowler introduced Senate Bill No. 112:

An act to regulate conditional sales of personal property, and providing for the recording in the Recorder's office, the terms of the conditions, providing compensation for the Recorder, and declaring and emergency.

Read first time and referred to Committee on Judiciary.

Senator Lindley introduced Senate Bill No. 113:

A bill for an act to repeal an act entitled an act to legalize certain records in the office of County Recorders, etc.

Read first time and referred to Committee on Fees and Salaries.

Senator May introduced Senate Bill No. 114:

An act authorizing and empowering incorporated towns to issue bonds for the erection of bridges and sewers within such corporations, providing for the sale thereof, and the levying of taxes for the payment of the same, and other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Corporations.

Senator Null introduced Senate Bill No. 115:

An act to legalize the incorporation of the town of New Haven, in Allen county, in the State of Indiana, and to legalize each and every official act of the several Boards of Trustees of said town under an act entitled an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1852, and all by-laws, ordinances and proceedings adopted thereof, and declaring an emergency.

Read first time and referred to Committee on Corporations.

Senator Smith, of Jennings, introduced Senate Bill No. 116:

An act to amend section No. 122 of an act entitled an act providing for the settlement and distribution of decedents' estates, approved March 14, 1881.

Read first time by sections and referred to Committee on Judiciary.

Senator Youche introduced Senate Bill No. 117, entitled:

An act to amend section seven of an act supplemental to an act concerning fees and salaries, etc., approved February 28, 1883.

Read first time and referred to Committee on Fees and Salaries.

Senator Duncan of Tipton, introduced Senate Bill No. 118:

A bill to amend section 4433 R. S., concerning the compensation of County Superintendents.

Read first time and referred to Committee on Education.

Senator Magee from the Committee on Resolutions in regard to Colfax, submitted the following:

MR. PRESIDENT:

The committee heretofore appointed under Concurrent Resolution No. 2, of the House, beg leave to make the following report.

RUFUS MAGEE,
WM. D. FOULKE,
Senate Committee.

C. F. CORY,
E. H. STALEY,
B. WILSON SMITH,
House Committee.

The General Assembly of Indiana, has heard with regret the death of Hon. Schuyler Colfax, by which has been terminated a career that has added lustre to the Commonwealth, and impressed itself in the History of the Nation. From an humble lad, with no aid but his ability and indomitable industry, he rose to many of the most exalted stations in public, in public life, in the numerous trusts confided him by the people as a member of the Convention which frames our present State Constitution, as a Representative in Congress, Speaker of House of that body, and as Vice-President of the United States, he exhibited a marked fidelity to their interests, and discharged them to the acceptance of his fellow citizens; therefore be it

Resolved, That we hold his memory and public services in sincere regard, and tender to his family our sympathy in their great affliction.

Resolved, That a copy to this Concurrent Resolution be forwarded to his family and spread on the Journals of each House of the General Assembly.

On motion, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING,

JANUARY 19, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by Rev. Mr. McCullough.

Journal read, and after one correction was approved.

Senate Foulke presented several petitions on the subject of education, which were referred to the Committee on Education without reading.

Senator Bailey introduced Senate Bill No. 119, entitled :

An act providing that when wills have been or shall be proved and recorded in any county in this State, copies of the records of such wills and of the probate thereof may be recorded in any other county.

Read the first time, and referred to Committee on Judiciary.

Senator Brown introduced Senate Bill No. 120, entitled :

An act to provide County Institute Funds, etc.

Read the first time, and referred to Committee on Education.

Senator Duncan of Brown introduced Senate Bill No. 121, entitled:

An act prescribing certain duties of County Boards of Education, of Township Trustees in relation to the purchase of school furniture, apparatus, etc.

Read the first time, and referred to Committee on Education.

Senator Foulke introduced Senate Bill No. 122, entitled:

An act removing all disabilities of married women, imposing upon them the same obligations as unmarried women, and removing the disabilities of coverture.

Read first time, and referred to the Committee on Judiciary.

Senator Hoover introduced Senate Bill No. 123, entitled:

An act requiring owners and occupants of land adjoining highways to keep their hedges properly trimmed, and defining the duties of certain township officers.

Read first time, and referred to Committee on Roads and Highways.

Senator Johnston introduced Senate Bill No. 124, entitled:

An act to provide for the protection and preservation of books, maps, charts, globes and other apparatus and articles belonging to the public schools of Indiana, and providing a penalty.

Read a first time, and referred to Committee on Education.

Senator Macy introduced Senate Bill No. 125, entitled:

An act to amend section 1 of an act relating to county, State and other officers and the payment by them to their successors in office of all moneys in their hands at the expiration of their terms of office, and providing penalties for failure to do so. Approved March 5, 1883.

Read first time, and referred to the Committee on County and Township Business.

Senator McCullough, by unanimous consent, introduced the following resolution :

Resolved, That one thousand copies of Governor Gray's Inaugural Message be printed and distributed among the members of the Senate.

Adopted.

Senator McIntosh introduced Senate Bill No. 126, entitled :

An act to regulate the practice of medicine, surgery and obstetrics in the State of Indiana.

Read the first time and referred to the Committee on Public Health and Vital Statistics.

Senator Overstreet introduced Senate Bill No. 127, entitled :

An act authorizing plank, macadamized and gravel road companies to extend their powers and franchises for the period therein named.

Read the first time and referred to the Committee on Judiciary.

Senator Schloss introduced Senate Bill No. 128, entitled :

An act to amend section 5 of drainage law.

Read the first time and referred to the Committee on Canals and Swamp Lands.

Senator Winter introduced Senate Bill No. 129, entitled :

An act to amend section 41 of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852, being section 2505 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

Senator Willard introduced Senate Bill No 130, entitled :

An act entitled an act to amend sections 1 and 6 of an act entitled an act to provide a fund for the permanent endowment of Indiana University and the investment of the same, approved March 3, 1883.

Read first time and referred to Committee on Finance.

Senator Bailey introduced Senate Bill No. 181, entitled:

An act legalizing the organization of the Zionsville and Pike Township Gravel Road Company and the official act of the Board of Directors thereof.

Read first time and referred to Committee on Corporations.

Senate Bill No. 2, with the report of the Judiciary Committee, in reference to aliens holding real estate in the State of Indiana, was read second time and ordered engrossed.

Senator Bailey requested that Senate Bill No. 20, which had been read and referred to Committee on Fees and Salaries, should be changed to Committee on Labor.

Granted.

Senator Willard moved that the present order of business be suspended, and the Senate return to regular order of business.

Carried.

Senate Bill No. 17 was read the second time, and was laid on the table until after the report of the Judiciary Committee was presented.

Senator Faulkner, from the Committee on Federal Relations, made the following report:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 2, have had the same under consideration, and recommend its adoption.

C. R. FAULKNER,
Chairman.

Report adopted.

Senator Duncan, of Brown, introduced Senate Bill No. 182, entitled:

An act to legalize the acts of the Board of Commissioners of Brown county, Indiana, and to vest the fee simple in certain real estate in such board and their vendees.

Read first time and referred to Committee on County and Township Business.

Senator Foulke introduced Senate Bill No. 133, entitled:

An act concerning the appointment of Presidential electors.

Read first time and referred to Joint Committee on Claims of Women.

Senator Fowler introduced Senate Bill No. 134, entitled:

An act regulating the transporting of passengers and freight by railroad companies, providing for the appointment of a Railway Commissioner, and a clerk for such Commissioner, defining their duties, and requiring certain duties to be performed by railroad companies, their agents and servants, relative to the building and equipping of railroads, transporting passengers and freight and incident thereto, and properly connected with the business of railroading, and repealing all laws and parts of laws in conflict with the provisions of this act.

Read first time and referred to Committee on Railroads.

Senator McCullough moved that 500 copies of bill No. 134 be printed for the use of the Senators.

Carried.

On motion, the Senate adjourned.

AFTERNOON SESSION.

JANUARY 19, 1885.

Senate met at 2 o'clock, Lieutenant Governor Manson in the chair.

Senator Foulke moved to correct the business calendar to read that Joint Resolution No. 6 be made the special order for 2 o'clock p. m. Monday, instead of Tuesday 2 p. m.

Carried.

Senator Fowler introduced Resolution No. 3, in reference to the three additional Insane Asylums within the State of Indiana, which reads as follows:

WHEREAS, The Legislature of 1883, by act provided for the erection of three additional insane asylums within the State,

and appropriated for that purpose the sum of six hundred thousand dollars to be expended in the years 1883 and 1884; and

WHEREAS, Nearly three hundred and thirty-eight thousand dollars of said appropriation has already been expended, and liabilities to the amount of more than six hundred thousand dollars in addition to the amount expended has been created; and

WHEREAS, An additional sum of seven hundred thousand dollars is asked to be appropriated by this Legislature to be further expended in the erection of said asylums; and

WHEREAS, After the completion of said asylums, large sums of money will be required to officer, provision, and otherwise equip the same; and

WHEREAS, Sufficient provision can not be made for the penal reformatory, educational and benevolent institutions of the State by the further appropriation of said seven hundred thousand dollars, without an increase of State taxation, or the borrowing of money to carry on the State government; and

WHEREAS, Times are hard, the prices of products are low, values of all kinds are shrinking, and the people are now groaning under taxation almost intolerable to bear; and

WHEREAS, An increase of taxation, or the borrowing of money, which must be replaced by taxation, would be unwise, unjust and oppressive, tending to impose additional burdens upon the taxpayers of the State beyond their ability to pay, without additional sacrifices and privations of the comforts and even necessities of life; therefore, be it

Resolved, That the Chair appoint a committee of three to examine the contracts entered into by the State with the other contracting parties for the erection of said additional asylums, and see if under said contracts the work on two of said institutions can not be postponed to such a time as the State can complete the same without oppression to the taxpayers of the State.

Senator Magee moved to lay the resolution on the table.

Which motion was withdrawn.

And, on motion, the further consideration was postponed until the special order for 2 o'clock was finished.

On motion of Senator Foulke, Concurrent Resolution No. 6, as the special order for 2 o'clock, was called up, and the same was read.

Senator McCullough offered the following amendment to Resolution No. 6:

MR. PRESIDENT:

I move that the resolution be so amended as to read as follows:

Resolved by the Senate, the House of Representatives concurring, That the portion of ex-Governor Porter's message relating to the State Treasury be referred to a special committee of five from each house to be appointed by the respective chairmen thereof, to report by bill or otherwise, what legislation, if any, is necessary with reference to the State Treasury; and, also, to report whether an investigation into the affairs of the State Treasury by a Legislative committee is at this time probably necessary or proper.

The ayes and noes being demanded and called on the passage of the amendment, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard and Zimmerman.
Total, 28.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware, Winter.
Total, 15.

So the amendment carried, and resolution as amended was adopted.

The following message was received from the Governor :

Gentlemen of the Senate :

I have the honor to appoint Thomas McQuade, of Clay county, Mine Inspector, to serve as such for a term of two years, from this day pursuant to the provisions of section 5473, of the revised statutes 1881, and now submit such appointment to the Senate for its confirmation.

ISAAC P. GRAY,
Governor.

Senator Willard moved to refer the Governor's Message to the Committee on Executive Appointments.

Lieutenant Governor Manson announced the following Joint Committees on the part of the Senate, as follows:

On Public Buildings—Senators Peterson, Smith of Jay, and Campbell of St. Joseph.

State Library—Senators Smith of Jennings, May, and Duncan of Tipton.

Canal Funds—Senators Bailey, chairman, Hilligas and Moon.

Claims—Senators Sellers, chairman, Null and Macy.

Revision of the Statutes—Senators Richardson, Duncan of Brown, May, Foulke and Drake.

Women's Claims—Senators Foulke, chairman, Hoover, McIntosh and Adkinson.

Senator Fowler presented the following resolution:

Resolved, That at the hour of two o'clock to-morrow, the Senate will, in pursuance of an act of Congress of the United States, entitled, an act to regulate the time and manner of holding elections for Senators in Congress, approved July 25, 1866, proceed to vote for a Senator of the United States, for the term of six years, from and after March 4, 1885.

Adopted.

Senator Hilligass introduced Senate Bill No. 135, entitled:

An act dividing the counties of the State of Indiana into Congressional districts.

Read the first time and referred to Committee on Apportionment.

Senator Smith of Jennings offered the following resolution:

Resolved, That the chairman of the Committee on Enrolled Bills be and he is hereby authorized to employ a competent clerk for the use of said committee.

Adopted.

Senator Magee offered the following resolution, to-wit:

Resolved, That the chairman of the Committee on Canal, Internal Improvements and Swamp Lands, and the chairman of the Committee on Railroads, be authorized to employ a clerk for said committee.

Senator Thompson moved to amend by allowing the Temperance Committee a clerk.

The resolution and amendment were withdrawn by consent.

On motion, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

JANUARY 20, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by Rev. Dr. Hyde, of the Second Congregational Church of Indianapolis.

Journal read in part, and, on motion, the further reading was dispensed with.

Senator Zimmerman presented a petition from sundry citizens of Henry county, on the subject of temperance and schools.

Read and referred to Committee on Education.

Senator Overstreet presented a petition on the same subject, which was referred to the Committee on Education without reading.

Senator Duncan, of Brown, presented a petition on the same subject, which was referred to the Committee on Education without reading.

Senator Bryant presented a petition on the same subject, which was referred to the Committee on Education without reading.

Senator Ernest presented a petition on the same subject, which was referred to the Committee on Education without reading.

Senator Macy presented a petition on the same subject, which was referred to the Committee on Education without reading.

Senator Marshall presented a petition on the same subject, which was referred to the Committee on Education.

Senator Shively presented a petition on the subject of drainage, from sundry citizens of Grant county.

Was read and referred to the Committee on Drainage and Swamp Lands.

Senator Peterson presented a petition on Drainage Commissioners.

Was read and referred to Committee on Swamp Lands and Drainage.

Senator Willard, from the committee on securing committee rooms, submitted the following report:

MR. PRESIDENT :

The undersigned, committee to secure committee rooms, would respectfully report that they have received offers from the Grand Hotel, the Bates House and the Occidental Hotel for five rooms each—the Occidental Hotel at \$500, the Bates House and the Grand Hotel at \$475 each.

JAMES H. WILLARD,
Chairman,

I. H. FOWLER,
JOHN H. LINDLEY.

Senator Hilligass moved that the proposition of the Grand Hotel be accepted.

Senator Willard moved to amend that the Bates House proposition be accepted.

Senator Smith, of Jay, moved that the Occidental Hotel proposition be accepted, which was rejected.

The ayes and noes being demanded and called on Senator Willard's motion, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Tipton, Duncan of Brown, Ernest, Faulkner, Foulke, Howard, Huston, Lindley, Macy, Magee, Marshall, May, McCullough, Overstreet, Rahm, Richardson, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter and Youche. Total, 29.

Those voting in the negative were:

Senators Bailey, Benz, Drake, Fowler, Hilligass, Hoover, Johnston, May, Moon, McIntosh, Null, Peterson, Schloss, Sellers, Smith of Jay and Zimmerman. Total, 16.

So the motion was adopted, and motion as amended by Senator Willard carried.

Message from the House:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 6, in relation to procuring a State flag, banner or ensign, to be used on the occasion of the dedication of the Washington monument, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk of the House.

Senator May was called to the chair.

Senator Youche moved that the committee on rooms be authorized to get a written contract from the Bates House for the rooms selected.

Senator Hilligass moved to amend that all bed and accommodations for lodgers be removed from committee rooms.

Amendment accepted, and the motion as amended carried.

MR. PRESIDENT:

I beg leave to report that I have appointed David H. Hahn Clerk of the Committee on Enrolled Bills.

A. G. SMITH,
Chairman.

Senator McCullough, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT:

Your Committee on Judiciary, have had under consideration Senate Bill No. 16, an act to legalize certain sales of real estate made by Commissioners in proceedings by executors, administrators, etc., and the committee recommend me to report the bill back with the recommendation that said bill be so amended as to read as follows, and when so amended that the said bill do pass.

McCULLOUGH,
Chairman.

Report concurred in.

MR. PRESIDENT:

Your Committee on Judiciary have had under consideration Senate Bill No. 13, a bill concerning hotels, inns and eating-house keepers, and the committee direct me to report the bill back to the Senate with the recommendation that it be amended as follows: Strike out of section 2, in said bill, the following words: "And for all money paid for or advanced to and for such extras and other things as shall be furnished such guests." Strike out of section 3 of said bill the word "boarding," and strike out the whole of section 4 of said bill, and number the present section 5 of said bill section 4, and that said bill, so amended, do pass.

McCULLOUGH,
Chairman.

Concurred in.

MR. PRESIDENT :

Your Committee on Judiciary have had under consideration Senate Bill No. 10, a bill to amend section 276, an act concerning proceedings in civil cases relating to the competency of persons to testify in case where a guardian of an insane person is a party; and the committee do direct me to report the bill back with the recommendation that it be laid upon the table.

McCULLOUGH,
Chairman.

Concurred in.

MR. PRESIDENT :

Your Committee on Judiciary have had under consideration Senate Bill No. 42: A bill for the protection of Innkeepers and limiting their liability, and the committee direct me to report the bill back to the Senate with the recommendation that it do lie on the table.

McCULLOUGH,
Chairman.

Concurred in.

Senator Bailey introduced Senate Bill No. 136, entitled :

An act entitled an act to amend section 190, of "An act concerning public offenses and their punishment." Approved April 14, 1881.

Read first time and referred to Committee on Cities.

Senator Davis introduced Senate Bill No. 137, entitled :

An act to amend section 1330 of the Revised Statutes.

Read first time and referred to Committee on Judiciary.

Senator Fowler introduced Senate Bill No. 138, entitled :

An act to make certain reduction of taxes on real estate, providing for the payment of the taxes in mortgages and vendor's liens on real estate by the holder of such liens, prescribing certain duties to be performed by County Auditors and Township Assessors, repealing all laws in conflict with the provisions of this act, and declaring an emergency.

Read first time and referred to Committee on Finance.

Senator Hilligass introduced Senate Bill No. 139, entitled :

An act to amend sections 27 and 29, and to repeal sections 65 and 67 of an act entitled, "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas, and transferring the business thereof to the Circuit Courts, and providing for the election of Judges and Prosecuting Attorneys in certain cases," approved March 6, 1873, and to create the Forty-eighth Judicial Circuit, and fixing the time of holding courts in the Twenty-sixth Judicial Circuit, and in the Forty-eighth Judicial Circuit, and providing for the appointment and election of Judges and Prosecuting Attorneys thereof, and providing for their compensation, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

Senator Hoover introduced Senate Bill No. 140, entitled :

An act to exempt from the payment of poll taxes, or working the same out upon the public highways of the State of Indiana, by ex-Union soldiers of the late War of the Rebellion, or the war of 1861.

Read the first time, and referred to the Committee on Military Affairs.

Senator Howard introduced Senate Bill No. 141, entitled :

An act authorizing the appointment of guardians for insane persons committed to the Hospital for the Insane, and defining the powers and duties of such guardian.

Read the first time, and referred to the Committee on Benevolent Institutions.

Senator Day moved that the Senate take a recess for twenty minutes.

Carried.

Senate reconvened.

On motion adjourned.

AFTERNOON SESSION.

JANUARY 20, 1885.

Senate met at 2 o'clock, with Lieutenant Governor Manson in the chair.

The President announced that 2 o'clock having arrived, the special order of the day being the election of a United States Senator for the next six years, from March 4, 1885, the same was proceeded with.

Nominations being in order, Senator Schloss placed in nomination Hon. Daniel W. Voorhees for United States Senator.

Senator Willard arose and seconded the nomination.

Senator Hilligass also seconded the nomination.

Senator Faulkner also seconded the nomination.

Senator Fowler also seconded the nomination.

Senator Zimmerman also seconded the nomination.

Senator Winter, of Marion county, then placed in nomination the name of Albert G. Porter.

Senator Huston seconded the nomination.

Senator Youche also seconded the nomination.

Senator Davis of Elkhart seconded the nomination.

Senator Drake also seconded the nomination.

By consent Senator Sellers was allowed to second the nomination of Hon. Daniel W. Voorhees.

The vote was then taken and resulted as follows:

Those voting for D. W. Voorhees were:

Messrs. Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman.
Total, 30.

Those voting for A. G. Porter were :

Messrs. Adkinson, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Randolph, Winter and Youche. Total, 16.

The following telegram was received from the Hon. D. W. Voorhees, to-wit :

WASHINGTON, D. C., January 20, 1885.

Hon. C. R. Faulkner :

I expect to be in Indianapolis, Monday next, the 26th. I would be there this week but for circumstances beyond my control. God bless the Indiana Legislature. My heart is full of gratitude.

D. W. VOORHEES.

Communication was received from Gen. Carnahan designating Thursday, January 22, 1885, as a time at which he would address the Senate in regard to the World's Fair at New Orleans.

And Thursday afternoon, at 3 o'clock, was the time set for said address.

And said address was made the special order for 3 o'clock on said day.

Senator Hilligass presented claims for supplies furnished Senate.

Which was referred to special committee of three, as follows: Senators Rahm, Schloss and Ensley.

Senator Magee introduced Senate Bill No. 142:

Read first time, and Senator Magee moved that the constitutional rules be suspended, the bill read a first and second time by title, considered engrossed, read the third time by sections and placed upon its passage.

The roll being demanded and called resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan

of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Weir, Willard, Winter, Youche and Zimmerman. Total, 43.

No one voting in the negative.

So the motion carried, and bill read first and second time by sections.

On motion, bill 142 was referred to Committee on Judiciary, with instructions to report to-morrow morning.

Message from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House requests the return of House Concurrent Resolution No. 5, in relation to the granting of soldiers' pensions, without action thereon.

DARNELL,
Principal Clerk.

Resolved, That the Committee on Rules, be and they are hereby requested to make a report to this body, at the very earliest period possible.

FOWLER.

Senator Magee, from the Committee on Rules, submitted the following report :

MR. PRESIDENT :

Your Committee on Rules request me to submit the following report :

That the Rules and Order of Business for the Government of the Senate, adopted at the session of 1883, be adopted for the regular session of this Senate, but with the following amendments :

1. That rule 8 of said rules read as follows: Thirty-one standing committees, not to exceed seven members each, shall be appointed by the President of the Senate at the commencement of each session, viz :

2. That the 14th committee under rule 8, known as the Committee on Canals, Internal Improvements and Swamp Lands, be amended to read, "on Swamp Lands and Drains."

3. That they report in favor of the resolution asking for a standing Committee on Cities, and recommend that such a committee numbered 30, under rule 8, be created.

4. That they report in favor of the resolution asking for a standing Committee on Labor Questions, with the amendment that it be known as the Committee on Labor and Labor Statistics, and recommend that a committee, as amended, numbered 31, under rule 8, be created.

5. That rule 28 of said rules be amended to read as follows: "No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

6. That rule 59 of said rules be amended to read as follows: "Whenever a bill is reported by a committee with the recommendation that it pass, seventy-five copies of said bill shall be forthwith printed and one copy laid on the desk of each Senator, and no bill shall be read a second time until one day after such distribution, unless the Senate otherwise order."

RUFUS MAGEE,
Chairman.

Senator Foulke moved to amend rule No. 59 as follows

Whenever such committee report in favor of the passage of a bill with amendments, said bill shall be printed as amended.

Senator Willard offered the following amendment:

Amend rule—

The motion to lay on the table an amendment, shall not carry the entire question to the table.

Senator Smith, of Jennings, offered the following amendment:

But debate upon such amendment shall not be cut off in any case.

On motion of Senator Foulke the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

JANUARY 21, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Senate opened with prayer by the Rev. F. A. Ward, of California Street M. E. Church.

Journal read in part and concurred in.

Senator Willard's amendment to the report of the Committee on Rules not carried.

Senator Smith, of Jennings, withdrew his amendment.

Senator Willard offered the following amendment to the report of the Committee on Rules:

Every member introducing a bill shall be a member of the committee considering the bill during the consideration of said bill, and shall have the right to vote in committee on the action of the committee on such bill.

Not concurred in.

The report of the Committee on Rules was then adopted.

Senator Magee moved that 150 copies of the rules be printed.
Motion carried.

Lieutenant Governor Manson presented a communication from Governor Gray, which reads as follows:

The Honorable, the President of the Senate:

By direction of the Governor I have the honor to inform the Senate that on the 19th instant he received Concurrent Resolution No. 2; that on yesterday he caused a copy of said resolution to be forwarded to each of our Senators and Representatives in Congress, and that he has this day deposited such resolution in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

Senate Bill No. 8 was read the second time by sections, together with the report of the Judiciary Committee, and ordered printed, together with the amendments.

Senate Bill No. 16 was read a second time by sections, together with report of Judiciary Committee, and the bill and amendments ordered engrossed.

Engrossed Senate Bill No. 2 was read a third time by sections and placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 46.

No one voting in the negative.

So the bill passed.

Senator Willard moved to recommit Senate Bill No. 17, to the Committee on Insurance.

Carried.

Senator Willard moved to take Senate Bill No. 10 from the table, and refer to Committee on Statutes.

Carried.

Senator Drake presented a petition from sundry citizens on the subject of temperance and schools.

On motion, referred to Committee on Education.

Senator Bryant presented a petition on education.

Which was referred to the Committee on Education.

Senator Willard presented a petition on the same subject.
Which was referred to the Committee on Education.

Senator Lindley presented a petition on the same subject.
Which was referred to the Committee on Education.

Senator Peterson presented a petition in regard to criminal
affairs.

Referred to Committee on Judiciary.

Senator Foulke presented a petition on insects, etc.

Referred to Committee on Agriculture.

Senator Foulke presented a petition in regard to the protection of quails.

Read and referred to Committee on Agriculture.

Senator Lindley presented a petition on the same subject.
Which was referred to the Committee on Agriculture.

Senator Schloss presented the following resolution:

MR. PRESIDENT:

WHEREAS, That a great many bills and petitions have been referred to the Committee on Education; and,

WHEREAS, Senator Francis Johnson, as its chairman, has been absent on account of sickness; therefore, be it

Resolved, That the next member to the chairman of the Committee on Education shall act as such chairman until the regular chairman may be able to be here, and another Senator made a member of that committee temporarily.

Adopted.

And the President of the Senate appointed Senator Duncan, of Brown.

Senator Rahm, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT:

Your Committee on Public Buildings, to whom was referred Senate Bill No. 65, beg leave to report that we have had the

same under consideration, and would respectfully report as follows :

That said bill be amended by striking out all of section two (2), and inserting in lieu thereof the following :

Section 2. There is also appropriated for the maintenance of each one of said hospitals the sum of forty thousand dollars (\$40,000) up to February 1, 1887.

Also by striking out all of section three (3).

That the remaining sections—4, 5, 6 and 7—be renumbered respectively 3, 4, 5 and 6.

And recommend that said bill, when so amended, do pass.

WILLIAM RAHM, JR.,
Chairman.

RUFUS MAGEE,
WILLIAM D. FOULKE,
J. E. McCULLOUGH,
L. D. ADKINSON,
G. M. OVERSTREET,
J. W. YOCHE,
W. CLINTON THOMPSON.

Senator Foulke moved that Senate Bill No. 65 be read a second time, together with the amendments.

Carried.

Senator Fowler moved to have Senate Bill No. 65, with amendments, printed.

Carried.

Senator Magee moved that Senate Bill No. 65 be made a special order for Monday next at 2 o'clock.

Carried.

Lieutenant Governor Manson announced the following committees :

On Labor and Labor Statistics—Senators Bailey, Hilligass, Duncan of Brown, Thompson, Sellers, Ensley, and Moon.

On Cities—Senators Thompson, Rahm, Null, Bailey, Schloss, Day, and Foulke.

Senator Schloss was appointed on the Committee on Education temporarily.

Senator McCullough presented a report from the Committee on Judiciary on Senate Bill No. 14.

Action on the report was made a special order for Friday at 2 o'clock.

Senator McCullough made the following report from the Committee on Judiciary:

MR. PRESIDENT:

Your Committee on Judiciary have had under consideration Senate Bill No. 51, a bill for an act to amend section 275 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, and the committee instruct me to report the bill back to the Senate with the recommendation that it be laid on the table.

McCULLOUGH,
Chairman.

Report concurred in.

Senator McCullough, from the Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 142, a bill for an act concerning condemned court houses, and direct me to report the bill back to the Senate, and recommend that it be laid on the table.

McCULLOUGH,
Chairman.

Concurred in.

Senator McIntosh, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business to whom was referred Senate Bill No. 58, introduced by Senator Day, report that they have had the same under consideration, and beg leave to report, recommending that the same do pass.

McINTOSH,
Chairman.

Report concurred in, and the bill ordered printed.

Senator McIntosh, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 79, introduced by Senator Hilligass, report that they have had the same under advisement, and beg leave to report unanimously recommending that the same do pass.

McINTOSH,
Chairman.

Report concurred in, and the bill ordered to be printed.

Senator McIntosh, from the Committee on County and Township Business, made the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 102, introduced by Senator Foulke, beg leave to report that we have had the same under consideration, and recommend that the same do pass.

McINTOSH,
Chairman.

Report concurred in, and the bill ordered to be printed.

Senator Foulke moved that Senate Bill on Constitutional Convention be made a special order for 10.30 Thursday A. M.

Carried.

Senator McCullough moved that the only business for this afternoon be reading of bills on first reading, and that the Committee on Judiciary be excused.

Carried.

Senator Day offered the following resolution:

Resolved, That all bills, etc., referred to the Special Committee on Cities be referred to the Standing Committee on Cities.

Carried.

The time having arrived, the Senate proceeded to the House to compare the vote for United States Senator.

The same was done, and the Hon D. W. Vorhees, having received the highest number of votes, was declared elected United States Senator, for the ensuing six years from March 4, 1885.

The Senate was called to order by the President

On motion the Senate adjourned.

AFTERNOON SESSION,

JANUARY 21, 1885.

Senate met at 2 o'clock, Lieutenant Governor Manson in the chair.

Senator Smith of Jennings introduced Senate Bill No. 143, entitled :

An act concerning the sale of real estate for delinquent taxes, and providing for the redemption thereof, and declaring an emergency.

Read the first time, and referred to the Committee on Judiciary.

Senator Weir introduced Senate Bill No. 144, entitled :

An act authorizing the issuing of patents for lands in certain cases in the name of the State of Indiana, to purchase Michigan Road lands in said State, and causing the same to be recorded in the Land Department of the State, and to deliver to said purchasers.

Read first time and referred to Committee on Judiciary.

Senator Brown introduced Senate Bill No. 145, entitled :

An act to amend section 20 of an act entitled an act concerning elections and the contests thereof, approved April 21, 1881, section 4698 Revised Statutes.

Read first time and referred to Committee on Elections.

Senator Drake introduced Senate Bill No. 146, entitled :

An act regulating the running of freight trains in this State, and making violations a misdemeanor, and declaring an emergency.

Read first time and referred to the Committee on Railroads.

Senator Duncan, of Brown, introduced Senate Bill No. 147, entitled :

An act to amend section 243 of an act entitled an act concerning public offenses and their punishment, passed and approved April 14, 1881.

Read first time and referred to Committee on Judiciary.

The Committee on Executive Appointments presented the following report :

MR. PRESIDENT :

The Committee on Executive Appointments to whom was referred the Governor's Message, dated January 17, 1885, appointing Thomas McQuade, of Clay county, Mine Inspector to serve as such for a term of two years from that day, pursuant to the provisions of section 4573 of R. S. 1881, would recommend the confirmation of said appointment.

JAMES S. SHIVELY,
D. McCLURE,
W. C. DUNCAN,
ELI W. BROWN,
W. J. DAVIS,
JAMES H. WILLARD,
J. W. MACY.

Concurred in.

Senator Ensley introduced Senate Bill No. 148, entitled :

An act empowering County Commissioners to appropriate money for the erection of soldiers' monuments.

Read first time and referred to Committee on County and Township Business.

Senator Hoover introduced Senate Bill No. 149, entitled :

An act to amend section 4521 of an act entitled an act for the encouragement of Teachers' Institutes in the several counties of

the State of Indiana, approved May 6, 1865, being section 4521 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Education.

Senator Huston introduced Senate Bill No. 150, entitled:
An act to amend section 5998 of Revised Statutes of 1881.
Read first time and referred to Committee on Education.

Senator Huston introduced Senate Bill No. 151, entitled:
An act to amend section 4520 of the Revised Statutes of 1881.
Read first time and referred to Committee on Education.

Senator Johnston introduced Senate Bill No. 152, entitled:
An act to prevent obstructions upon gravel roads and other toll roads of this State.

Read first time and referred to Committee on Roads.

Senator Null introduced Senate Bill No. 153, entitled :

An act concerning tax sales, and prohibiting the enforcement tax liens under tax deeds made upon tax sales under section 205, as amended by act of March, 16, 1875, of an "act to provide for a uniform assessment of property, and for the return of taxes thereon," (approved December 21, 1872,) of lots or lands granted or reserved to any individual by any treaty between the United States and any Indian tribe or nation.

Read first time and referred to Committee on Judiciary.

Senator Peterson introduced Senate Bill No. 154, entitled :

An act to legalize the incorporation of the town of Alamo, Montgomery county, Indiana, the election and qualification of its Board of Trustees and other officers, and all acts, orders, ordinances, by-laws and resolutions of the Board of Trustees of said town, and declaring an emergency.

Read the first time, and referred to the Committee on County and Township Business.

Senator Schloss introduced Senate Bill No. 155, entitled :

An act to prohibit charging, taxing, demanding or collecting illegal fees by any State, county, township, city or town officers, or any officer created by authority of the laws of Indiana, and prescribing penalties therefor, and giving concurrent jurisdiction to Circuit and Superior Courts and Justices of the Peace.

Read the first time and referred to Committee on Judiciary.

Senator Sellers introduced Senate Bill No. 156, entitled :

An act providing for the election of Judges of Superior and Circuit Courts, providing for the appointment of Judges to fill vacancies, and declaring an emergency.

Read first time and referred to Committee on Elections.

Senator Smith, of Jennings, introduced Senate Bill No. 157, entitled :

An act to amend an act entitled an act providing for the election and prescribing the duties of the Clerk of the Supreme Court, approved May 13, 1852, and declaring an emergency.

Read the first time and referred to Committee on Judiciary.

Senator Smith, of Delaware, introduced Senate Bill No. 158, entitled :

An act authorizing counties having not to exceed twenty thousand voters, as shown by the votes cast for Governor at the last preceding election, to negotiate and sell bonds to procure means to construct, complete or repair the Court house, jail or other county buildings or bridges ; also, to fund any existing indebtedness incurred for county purposes.

Read the first time and referred to Committee on Corporations.

Senator Zimmerman introduced Senate Bill No. 159, entitled :

An act to amend section 4 of an act entitled an act authorizing the construction of plank, macadamized and gravel roads, approved May 12, 1852, and being section 3628 Revised Statutes.

Read first time and referred to Committee on Roads.

On motion the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

JANUARY 22, 1885.

The Senate met, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. L. F. Cain, of the M. E. Church South, and Chaplain of Indiana Prison South.

Journal read in part and approved.

Senator Smith, of Jennings, gave notice that he would tomorrow present a resolution to change the rules of the Senate in reference to the time of meeting.

Senator Smith, of Jay, presented a report from the Committee on Organization of Courts:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 139, have had the same under consideration, and a majority of said committee direct me to return the bill with the recommendation, that immediately following the enacting clause of the same, said bill shall be amended so as to read as follows; and that said bill as so amended do pass.

SMITH, of Jay,
Chairman.

Report concurred in, and bill as amended ordered to be printed.

Senator May, from the Committee on Courts, submitted the following report:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 25, have had the same under consideration, and a majority of said committee direct me to return the bill with the recommendation that it do pass.

H. J. MAY.

Concurred in and bill ordered printed.

Senator May, from the Committee on Organization of Courts, submitted the following report:

MR. PRESIDENT:

Your Committee to whom was referred Senate Bill No. 59, have had the same under consideration, and a majority of said Committee direct me to return the bill with the recommendation that it do pass.

H. J. MAY.

Concurred in and bill ordered to be printed.

Senator Campbell, of St. Joseph, called for report of Committee on Rules, in regard to his resolution referred to them in regard to limiting Senate employes to the number provided for by law.

Senator Magee moved that the resolution be laid upon the table.

The roll being demanded and called resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter, Zimmerman. Total, 31.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Emsley, Foulke, Huston, Lindley, Macy, Marshall, Moon, McClure, Overstreet, Smith of Delaware, Youche. Total, 17.

Carried.

Senator Campbell, of Hendricks, presented petition on education.

Which was referred to Committee on Education.

Senator Winter presented a petition.

Referred to Committee on Statutes.

Senator Lindley presented a petition on same subject.

Which was referred to Committee on Revised Statutes.

Senator Weir, from the Committee on Judiciary on Senate Bill No. 46, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary have had under consideration Senate Bill No. 46—a bill for an act to validate acknowledgements taken before officers whose commissions had theretofore expired—and direct me to report said bill back to the Senate with the recommendation that it be amended to read as follows; and that when so amended it do pass.

J. E. McCULLOUGH,
Chairman.

Concurred in and ordered printed.

Senator Weir, from the Judiciary Committee, submitted the following report:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 47, a bill for an act in regard to the payment of employes of companies, corporations, individuals and associations doing business or employing labor in this State, and direct me to report the bill back to the Senate with the recommendation that it be amended to read as follows, and that when so amended that the bill shall pass.

McCULLOUGH,
Chairman.

Concurred in, and bill ordered printed.

Senator Weir, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 52, a bill for an act to protect sheep husbandry, to regulate matters connected therewith, to provide for registering, taxing and killing dogs, and direct me to report the bill back to the Senate with the recommendation that the same be indefinitely postponed.

McCULLOUGH,
Chairman.

The question being on concurring in the report.

The ayes and noes being demanded and called resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Campbell of Hendricks, Davis, Day, Drake, Ernest, Foulke, Fowler, Howard, Lindley, McClure, McCullough, Rahm, Richardson, Schloss, Smith of Jennings, Thompson, Weir, Willard. Total, 20.

Those voting in the negative were:

Senators Adkinson, Bailey, Bryant, Campbell of St. Joseph, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Hill, Hilligass, Hoover, Huston, Johnston, Macy, Magee, Marshall, May, McIntosh, Null, Overstreet, Peterson, Sellers, Shively, Smith of Jay, Smith of Delaware, Winter, Youche and Zimmerman. Total, 28.

So the report was not concurred in.

Senator Smith of Jay moved to refer Senate Bill No. 52 to the Committee on Agriculture.

Carried.

The hour having arrived for special order of business, being the consideration of Senate Bill No. 26, the same was read a second time by sections.

Senator Foulke moved to substitute the minority report of the committee on Bill No. 26, in place of the majority, and that the same be concurred in.

Senator Foulke made some remarks on the question, and further consideration was postponed until 2 o'clock.

Senator Hoover was called to the chair.

The following message was received from the House.

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 7, in relation to Railroad land grants, to instruct our Senators and request our Representatives in Congress to use their efforts to

secure the passage of a law requiring the Attorney General of the United States to bring suit in the name of the United States against certain Railroad companies and their grantees to test the validity of certain grants, and the same is transmitted to the Senate for action thereon.

DARNELL,
Clerk.

Senator Magee offered the following resolution :

Resolved, That hereafter it shall be the duty of the Door-keeper to prevent any person entering upon the floor of the Senate, for the purpose of lobbying for any bill or soliciting the vote of any Senator for any purpose whatever during the session of the Senate. Any person violating this order shall be excluded from the Senate chamber from and after the violation thereof.

Senator Willard rose to a point of order.

On motion the Senate adjourned.

AFTERNOON SESSION.

JANUARY 22, 1885.

Senate met at 2 o'clock, Lieutenant Governor Manson in the chair.

Senator Winter presented memorial of Western Yearly Meeting of Friends of Indiana.

Read and referred to Committee on Revision of Statutes.

The consideration of Senator Magee's resolution was taken up, the same being the discussion of Senator Willard's point of order.

The point of order was decided by the President as not well taken.

And Senator Magee then moved that the resolution be adopted.

The ayes and noes being demanded and called resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Hilligass, Huston, Lindley, Magee, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Schloss, Sellers, Shively, Winter and Youche. Total, 29.

Those voting voting in the negative were :

Senators Brown, Bryant, Duncan of Brown, Faulkner, Fowler, Hill, Hoover, Johnston, Macy, Marshall, Peterson, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard and Youche. Total, 17.

Adopted.

The discussion on Senate Bill No. 26, was resumed.

The time having arrived for General Carnahan to address the Senate on the World's Fair now being held in New Orleans.

Further discussion of Senate Bill No. 26 was on motion postponed until after Commissioner Carnahan had delivered his address to the Senate.

At this time General Carnahan was introduced to the Senate, and he proceeded to address that body in reference to the Indiana exhibits in the World's Fair now being held in New Orleans.

At the close of General Carnahan's address, Senator Adkinson moved that a vote of thanks be tendered the General for his address, also, for his wise and efficient management of the Indiana exhibits at the World's Fair at New Orleans.

Carried.

The special order was again taken up.

On motion, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING,

JANUARY 23, 1885.

Senate met at 10 o'clock, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Dr. Cloude, of Indianapolis.

The journal was read in part and approved.

Senator Schloss asked leave of absence for Senator McCullough until Monday.

Granted.

Senator Hilligass asked leave of absence for Senator Adkinson until Monday, and stated he was paired with the Senator on all political questions.

Granted.

The special order of preceding day was resumed, being the discussion of the minority report on Senate Bill No. 26.

Senator Fowler demanded the previous question.

Carried.

The main question was then put.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware, Winter and Youche. Total, 16.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Johnston,

Magee, May, McClure, McIntosh, Null, Overstreet, Rahm; Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 29.

So the minority report was not concurred in.

The question recurring on the majority report, the same was concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 3, providing for a committee of three upon the part of the House and two upon the part of the Senate, to inquire into certain matters contained in the Governor's message in relation to the State Treasury, to ascertain why Governor Porter did not investigate irregularities, if there were any, in the office of the Treasurer, in accordance with law.

Also, Senate Concurrent Resolution No. 6, providing for a special committee of five upon the part of the Senate and five upon the part of the House, to examine into the affairs of the State Treasurer, in accordance with the suggestion made by ex-Governor Porter, and other matters connected therewith, and the same are herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

Senator McIntosh introduced the following resolution :

Resolved, That all pages doing duty, except the three who are regularly employed, are hereby discharged from further duty, and the President of the Senate is instructed to draw his warrant for the payment of such discharged pages at two dollars per day for the time they have served.

Adopted.

Senator Marshall submitted a petition signed by citizens of Fountain county.

Was read and referred to Committee on Judiciary.

Senator Duncan, of Tipton, presented a report from Committee on Education on Senate Bill No. 150.

Senator Willard presented a report from Committee on Education on Senate Bill No. 149.

Concurred in.

Senator Smith of Jay presented a report from the Committee on Education on Senate Bill No. 74, as follows:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 74 have had the same under consideration, and a majority of said committee direct me to return the bill with the recommendation that it do pass.

J. M. SMITH,
Chairman.

Concurred in.

Senator Moon offered the following report from the Committee on Education:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 149, introduced by Senator Hoover, report that we have had the same under consideration, and recommend that said bill lie on the table.

WILLARD.

Concurred in.

Senator Duncan of Brown submitted the following report from the Committee on Education:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 118, introduced by Senator Duncan of Tipton, report that we have had the same under consideration, and recommend that said bill lie on the table.

W. C. DUNCAN,
Chairman.

Concurred in.

Senator Duncan of Brown submitted the following report:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 99, introduced by Senator Brown, report that they have had the same under consideration, and beg leave to report as follows:

That section 1 be amended by inserting after the word "behavior," in line 13, on the second page of said section, the following: "and such other branches of learning and other languages as the advancement of pupils may require and the Trustees, by and with the advice and consent of the County Superintendent, may direct;" and recommend that said bill, when so amended, do pass.

DUNCAN of Brown,
Chairman.

Senator Duncan, of Brown, presented the following report:

MR. PRESIDENT:

Your Committee on Elections beg leave to report that they have had Senate Bill No. 49 under consideration, and do recommend that said bill do pass.

W. C. DUNCAN,
Chairman.

On motion, the bill was ordered not printed.

Senator Weir, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on Judiciary have had under consideration Senate Bill No. 62: A bill for an act in relation to the Continuance of the term of Court until the conclusion of the trial in progress. The Committee direct me to report the bill back with the recommendation that the same do pass.

McCULLOUGH.

Accepted. Ordered not to be printed.

Senator Weir, from the Committee on Judiciary, submitted a report on Senate Bill No. 63, recommending that it lay on the table.

Accepted.

Senator Weir, from the Committee on Judiciary, submitted a report on Senate Bill No. 64, with amendments, and recommend the bill do pass.

Senator Weir, from same committee, submitted a report on Senate Bill No. 67, with amendments, and recommend the bill do pass.

Senator Weir, from Committee on Judiciary, submitted a report on Senate Bill No. 76, with amendments, recommending that the bill do pass.

Senator Weir, from same committee, presented a report on Senate Bill No. 78, recommending that it do lie on the table.

Senator Weir, from same committee, presented a report on Senate Bill No. 104.

Referred to Committee on Claims.

Senator Weir, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT :

Your Committee on the Judiciary have had under consideration Senate Bill No. 112—a bill for an act concerning conditional sales of personal property—and the committee direct me to report the bill back to the Senate with the recommendation that it be amended as follows: Amend the title to said bill so as to read as follows: An act concerning conditional sales of personal property. Amend section 1 so as to read as follows:

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That all sales and leases of personal property depending upon any condition shall be void as against all persons except the parties thereto, unless in writing and acknowledged and recorded within ten days after the execution thereof in the Recorder's office of the county where the vendee or lessee resides.

Amend section 2 by striking out the words "fifty cents" and inserting in lieu thereof the words, "ten cents for each one hundred words;" strike out section 4; and the committee do further recommend that said bill so amended do pass.

J. E. McCULLOUGH,
Chairman.

Senator Weir, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:

Your Committee on the Judiciary have duly considered Senate Bill No. 116, a bill concerning the settlement of decedent's

estates, and direct me to report the same back to the Senate and recommend that it be laid on the table.

McCULLOUGH,
Chairman.

Senator Weir presented a report from the Committee on Judiciary on Senate Bill No. 119, with amendments, recommending that it do pass.

Senator Weir, from the same committee, presented a report on Senate Bill No. —, with amendments, with the recommendation that it do pass.

Senator Weir, from the Committee on Judiciary, submitted a report on Senate Bill No. 129, with amendment.

Senator Null, from the Committee on Corporations, submitted a report on Senate Bill No. 57, recommending that it do pass.

Senator Null, from the Committee on Corporations, submitted a report on Senate Bill No. 75, with amendment.

Senator Null, from the Committee on Corporations, submitted a report on Senate Bill No. 38, recommending that it do pass.

Senator Null, from the Committee on Corporations, submitted a report on Senate Bill No. 115, recommending that it do pass.

Senator Day, from the Committee on Township and County Business, submitted a report on Senate Bill No. 98, recommending that it be indefinitely postponed.

Senator McIntosh submitted a report from the Committee on County and Township Business on Senate Bill No. 79, which recommended that the bill do pass.

Senator McIntosh submitted a report from the Committee on County and Township Business on Senate Bill No. 23, which recommended that the bill lay on the table.

Senator McClure submitted a report from the Committee on Benevolent and Reformatory Institutions on Senate Bill No. 73, which report recommended that the bill be amended, and when so amended, that it do pass.

Senator McClure submitted a report from the Committee on Benevolent and Reformatory Institutions on Senate Bill No. 22, which report recommended that the bill be amended, and when so amended, that it do pass.

Senator Sellers offered the following resolution :

Resolved, That the Doorkeeper of the Senate be authorized to employ and appoint five assistants in addition to those mentioned in Section 4970 of the Revised Statutes of 1881, and that the Secretary of the Senate be authorized to employ and appoint two clerks in addition to those now employed whenever the employment of such additional clerks shall become necessary for the proper dispatch of the business of the Senate, and that such employes shall receive the same per diem as other regular employes of the Senate.

The roll being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Howard, Johnston, Macy, Magee, May, McClure, Null, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 29.

Those voting in the negative were :

Senators Adkinson, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Marshall, McIntosh, Overstreet, Smith of Delaware, Winter and Youche. Total, 15.

So the resolution was adopted.

Senator Howard introduced concurrent resolution in regard to payment of mechanics who were employed in fitting up the Senate Chamber preparatory to the reception of the Senate.

Read and referred to the Committee on Claims.

The President appointed Senator Magee to take the chair during his absence this afternoon.

The special order for to-day was postponed until next Thursday at 2 P. M.

On motion, Senate adjourned.

AFTERNOON SESSION.

JANUARY 23, 1885.

Senate met, with Senator Magee in the chair.

Senator Schloss submitted a report on sundry bills for work done in the Senate chamber, recommending their adoption.

Concurred in.

Senator Hilligass presented the following resolution:

WHEREAS, By section 17 of the Constitution of the State of Indiana, the Governor of said State is required to report to the General Assembly each case of reprieve, commutation or pardon granted by him, and also any fines or forfeitures remitted by him, the names of the persons and amount of such remissions; and,

WHEREAS, No such report has been made by the outgoing Governor, Hon. Albert G. Porter; therefore, be it

Resolved, That Governor Porter be requested to submit to the General Assembly by such report at such time as may be convenient for him to do so, but not later than February 1st, 1883.

Adopted.

Senator Fowler submitted the following resolution:

Resolved, That the Doorkeeper be and he is hereby instructed to obtain from the Secretary of State, the last report of the Mine Inspector and place the same on the desks of each Senator.

Adopted.

Senator Schloss asked leave of absence for Senator Hoover, for this afternoon.

Senator Adkinson obtained consent and made the following report from the select committee appointed to attend the funeral of Schuyler Colfax.

MR. PRESIDENT :

Your committee of the Senate, appointed to act with a committee of three on the part of the House, to attend the funeral services of Hon. Schuyler Colfax, at South Bend, Indiana, reports to the Senate that said committee left Indianapolis at 4:55 p. m. on Friday, January 16th instant, and reached South Bend the following morning, Saturday, at 5 a. m., and, at the time designated, attended the obsequies of the distinguished statesman.

The expenses incurred by such committee amounts to twelve dollars each.

Respectfully submitted,

L. D. ADKINSON.

H. J. MAY.

Report concurred in.

Senator Fowler moved to suspend constitutional rules and take up Resolution No. —, in regard to the equipment, etc., of Insane Institutions.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks and Putnam, Day, Drake, Duncan of Hamilton and Tipton, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Johnston, Marshall, McClure, McIntosh, Peterson, Smith of Adams, Thompson and Willard. Total, 20.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of Stark, Davis, Faulkner, Foulke, Hilligass, Howard, Huston, Lindley, Macy, Magee, May, Moon, Null, Overstreet, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Winter, Youche and Zimmerman. Total, 26.

Not adopted.

Senator Bailey introduced Senate Bill No. 160, entitled :

An act for the incorporation of building, loan-fund and savings associations.

Read the first time and referred to Committee on Corporations.

Senator Benz introduced Senate Bill No. 161, entitled :

An act prescribing certain duties of County Clerks and Prosecuting Attorneys, and authorizing summons of witnesses to be summoned in vacation to certify before grand juries.

Read the first time and referred to Committee on Judiciary.

Senator Bryant introduced Senate Bill No. 162, entitled :

An act to amend sections 1 and 4, of an act establishing a State Board of Health. Approved March 7, 1881.

Read the first time and referred to Committee on Public Health.

Senator Campbell, of Hendricks, introduced Senate Bill No. 163, entitled :

An act to repeal section 105 of an act entitled an act concerning taxation. Approved March 29, 1881. Being section 6373 of the revised statutes of 1881.

Read the first time and referred to Committee on Corporations.

Senator Campbell, of St Joseph, introduced Senate Bill No. 164, entitled :

An act concerning the hiring of convict labor.

Read the first time and referred to Committee on Prisons.

Senator Davis introduced Senate Bill No. 165, entitled :

An act to regulate the running of passenger trains through cities of 5,000 inhabitants and over.

Read the first time and referred to Committee on Federal Relations and Rights and Privileges of Citizens of States.

Senator Day, by request, introduced Senate Bill No. 166, entitled:

An act to provide for the better protection of the health comfort and safety of persons employed in shops and factories, and for the better protection of property.

Read the first time and referred to the Committee on Public Health.

Senator Willard submitted the following report:

The undersigned chairmen of the Committees on Finance, Education, Claims, Railroads, Reformatory Institutions and Federal Relations, constituting the second group of Senate committees, have appointed William J. Turpen, Clerk of this group of committees.

JAMES H. WILLARD,
Finance.

W. C. DUNCAN,
Education.

M. WEIR,
Claims.

RUFUS MAGEE,
Railroads.

D. McCLURE,
Benevolent Institutions.

C. R. FAULKNER,
Federal Relations.

Senator Duncan of Brown, introduced Senate Bill No. 167, entitled:

An act to divide the State of Indiana, into congressional districts.

Read the first time and referred to Committee on Congressional Apportionment.

Senator Foulke introduced Senate Bill No. 168, entitled :

A bill to regulate the teaching and elevate the standing of the practice of medicine in the State of Indiana.

Read the first time and referred to Committee on Health and Vital Statistics.

Senator Fowler introduced Senate Bill No. 169, entitled:

An act to amend section 638 of an act entitled, "An act concerning proceedings in civil cases," approved April, 1881.

Read the first time and referred to Committee on Judiciary.

Senator Hilligass introduced Senate Bill No. 170, entitled:

An act concerning liens and mortgages on real estate.

Read the first time and referred to the Committee on Judiciary.

Senator Hilligass asked leave of absence for Senator Smith, of Jay, until Monday.

Granted.

Senator Howard introduced Senate Bill No. 171, entitled:

An act to amend section No. 9 of an act entitled an act to enable the owners of lands to drain and reclaim them, when the same can not be done without affecting the lands of others, prescribing the power and duties of County Commissioners and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified, and declaring an emergency, approved April 21, 1881.

Read the first time and referred to Committee on Swamp Lands and Drains.

Senator Huston introduced Senate Bill No. 172, entitled:

An act providing the mode in which voluntary associations and private corporations may be dissolved.

Read the first time and referred to the Committee on Corporations.

Senator Marshall introduced Senate Bill No. 173, entitled:

A bill for an act requiring the ballot to be placed in an envelope before handed to the inspector.

Read the first time and referred to the Committee on Elections.

Senator Rahm introduced Senate Bill No. 174, entitled :

An act to repeal an act entitled an act concerning the taxation of certain lands and other property within the limits of cities and towns, and declaring an emergency, approved April 16, 1881.

Read the first time and referred to the Committee on Cities and Towns.

Senator Schloss introduced Senate Bill No. 175, entitled:

An act to amend section 1 of an act entitled "An act providing for a metropolitan police in all cities of twenty-nine thousand or more inhabitants, and for the appointment of a Board of Metropolitan Police Commissioners for such cities, and defining their duties, and prescribing their powers; providing for the appointment of officers, patrolmen and other members of the metropolitan police force of such cities by such Board, and the manner of paying them for their service, and providing for the abolition of existing Boards of Police and police forces in such cities, and for the abolition of the office of City Marshal in such cities, and declaring an emergency," passed March 5, 1883.

Read the first time and referred to the Committee on Cities and Towns.

Senator Smith, of Jennings, introduced Senate Bill No. 176, entitled :

An act to amend section 38 of an act entitled, "An act concerning highways, and supervisors thereof." Approved March 2, 1883.

Read the first time and referred to the Committee on Roads and Highways.

Senator Thompson introduced Senate Bill No. 177, entitled :

An act to pay David R. Munson for work done by him for the State of Indiana, and declaring an emergency.

Read the first time and referred to the Committee on Claims.

Senator Thompson introduced Senate Bill No. 178, entitled :

A bill for an act for the relief of Mrs. Sarah May, and to provide for the payment of the resolution passed in her favor March 3, 1883, and declaring an emergency.

Read first time and referred to the Joint Committee on Public Buildings.

Senator Smith, of Jay, introduced Senate Bill No. 179, entitled :

A bill for an act concerning usurious interest, prescribing punishment therefor.

Read the first time and referred to Committee on Judiciary.

Senator Sellers introduced Senate Bill No. 180, entitled :

An act providing for the erection and repairing of fish ladders, defining certain misdemeanors, providing penalties, and declaring an emergency.

Was read the first time and referred to Committee on Swamp Lands and Drains.

Senator Willard introduced Senate Bill No. 181, entitled :

A bill for an act relating to the imprisonment of convicts in the Indiana State Prison South and the Indiana State Prison North, and the employment, government and release of such convicts by the Board of Managers.

Read a first time and referred to the Committee on Labor and Labor Statistics.

Senator Winter introduced Senate Bill No. 182, entitled :

An act concerning taxation in cities containing a population of over 70,000; to abolish the offices of City Assessor and Treasurer in such cities, and provide for the discharge of the duties thereof, and to repeal conflicting laws.

Read the first time and referred to Committee on Judiciary, and ordered printed.

Senator Zimmerman introduced Senate Bill No. 183, entitled:

An act amending sections 1, 3, 6 and 19 of an act entitled an act concerning highways and Supervisors thereof, approved March 2, 1883, repealing all laws in conflict with this act, and declaring an emergency.

Read a first time and referred to the Committee on Roads and Highways.

Senator Brown introduced Senate Bill No. 184, entitled:

An act concerning attorneys and regulating fees, and repealing all laws in conflict therewith.

Read the first time and referred to Committee on Fees and Salaries.

Senator Fowler introduced Senate Bill No. 185, entitled:

An act suspending imprisonment where the defendant has been convicted and imprisonment is all or part of the punishment, and such defendant wishes to appeal to the Supreme Court, requiring bond to be given for his appearance, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Willard introduced Senate Bill No. 186, entitled:

A bill for an act providing for the appointment of a competent man as State Sanitary Plumber and Gas Inspector.

Read the first time, and referred to the Committee on Benevolent and Reformatory Institutions.

Senator Bailey introduced Senate Bill No. 187, entitled:

An act to raise funds for the burial of ex-Union soldiers and marines who may die in indigent circumstances, and defining the duties of certain officers in relation thereto.

Read the first time, and referred to the Committee on County and Township business.

Senator Smith of Jennings introduced Senate Bill No. 188, entitled :

An act to amend section 3 of an act, entitled an act to incorporate the town of Vernon, Jennings County, Indiana, approved February 22, 1851.

Read the first time, and referred to Committee on Cities and Towns.

Senator Thompson introduced Senate Bill No. 189, entitled :

An act for the incorporation of Union Railway Companies, in or near towns or cities, where two or more railroads enter, or pass through, or near the same town or city, and to thereby facilitate and expedite railroad transfers and other business; to define the powers, duties, and liabilities of such companies, and to legalize the existence and acts of such companies heretofore incorporated.

Read the first time, and referred to the Committee on Railroads.

Senator Foulke introduced Senate Bill No. 190, entitled :

A bill for an act to amend section 8 of an act entitled an act to regulate and license the sale of spirituous, vinous, and malt and other intoxicating liquors, to limit the license fee to be charged by cities and towns, prescribing penalties for intoxication, and providing for the recovery of damages for injuries growing out of unlawful sales of intoxicating liquors, to repeal all former laws regulating the sale of intoxicating liquors and all laws and parts of laws coming in conflict with the provisions of this act, prescribing penalties for the violation thereof, and declaring an emergency.

Read the first time and referred to Committee on Judiciary.

Senator Lindley asked leave of absence for Senator Hill until next Monday.

Granted.

Senator Campbell, of St. Joseph, asked leave of absence for Senator Smith, of Delaware, until Monday.

Granted.

Senator Foulke asked leave of absence for Senator McCullough until 10 o'clock Monday.

Senator Foulke asked leave of absence for Senator Magee until Monday.

Granted.

Senator May asked leave of absence for Senator Rahm until Monday next.

Granted.

Senator Weir asked leave of absence for Senator Smith, of Jennings, until Monday next, A. M.

Granted.

Senator Smith, of Jay, asked leave of absence for Senator Peterson until next Monday.

Granted.

Senator Winter moved that when the Senate adjourn it be until Monday next, at 10 o'clock, A. M.

Carried.

House Concurrent Resolution No. 3, in reference to Gov. Porter's charges against State Treasurer Cooper was taken up.

Senator Duncan, of Tipton, offered the following amendment to said resolution, to-wit:

And such committee shall have authority to send for persons and papers, administer oaths to witnesses, have access to all books, papers, vouchers and documents in the possession of the Treasurer of State that pertain to the business of said office and shall make full and thorough investigation of the condition of the State Treasury.

On motion, the amendment was adopted.

Senator May moved to reconsider the vote by which amendment to Concurrent Resolution was adopted.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Brown, Day, Duncan of Brown, Ernest, Faulkner, Hilligass, Howard, Johnston, McClure, McIntosh, Smith of Jennings and Smith of Jay. Total, 12.

Those voting in the negative were :

Senators Adkinson, Bailey, Benz, Bryant, Campbell, Campbell of Stark, Davis, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Huston, Macy, Magee, Marshall, May, Moon, McIntosh, Peterson, Overstreet, Richardson, Shively, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 30.

So the motion to reconsider was lost.

Senator Foulke moved the adoption of the Concurrent Resolution No. 3, as amended.

The roll being demanded and called resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of Stark, Davis, Day, Drake, Duncan of Hamilton, Duncan of Bartholomew, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Howard, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Smith of Adams, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 41.

Those voting in the negative were:

Senators Brown and Johnston. Total, 2.

Adopted.

Senator Foulke moved to reconsider the vote just taken, and lay the motion on the table.

Carried.

On motion of Senator Willard the Senate adjourned.

RUFUS MAGEE,
President of the Senate, *pro tem.*

MONDAY MORNING.

JANUARY 26, 1885.

Senate met at 10 o'clock, Senator Magee in the chair.

Opened with prayer by the Rev. Dr. Jeffery, of the Baptist church.

The Journal was read in part.

Senator Bailey presented a petition in regard to hucksters and peddlers, from citizens of Shelby county.

Was read and referred to Committee on County and Township Business.

Senator Brown presented a similar petition, which was referred to Committee on County and Township Business without reading.

Senator Faulkner offered the following resolution:

Resolved, That George A. Russ be and is hereby appointed a page in this Senate.

Senator Bailey moved to amend by adding the name of Fitzpatrick.

Accepted.

Senator McIntosh moved to lay the amendment on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Brown, Ernest, Huston, Lindley, Macy, May, McClure, McCullough, McIntosh, Null, Rahm, Richardson, Shively, Youche, Zimmerman. Total, 21.

Those voting in the negative were:

Senator Bailey, Faulkner, Foulke, Hilligass, Hoover, Schloss, Sellers, Thompson, Willard. Total, 9.

No quorum being present, Senator Willard moved to adjourn until five minutes after 2.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Faulkner, Lindley, Schloss, Shively, Willard.

Total, 6.

Those voting in the negative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Brown, Ernest, Foulke, Hilligass, Huston, Johnston, Macy, May, McClure, McCullough, McIntosh, Null, Rahm, Richardson, Sellers, Weir, Winter, Zimmerman.

Total, 24.

Not carried.

On motion, Senate adjourned.

AFTERNOON SESSION.

JANUARY 26, 1885.

Senate met at 2 o'clock, Senator Magee in the chair.

Senator Thompson moved to suspend the calling of the roll.

Which was lost.

Roll was called and there was found to be a quorum present.

On motion of Senator Faulkner, further call of Senate was dispensed with.

Senator Lindley asked leave of absence for Senator Marshall until 10 o'clock Tuesday A. M.

Granted.

Senator Zimmerman asked leave of absence for Senator Moon until 10 o'clock Tuesday.

Granted.

Senate Bill No. 65, in relation to appropriation for Insane Hospitals, being a special order for 2 P. M. to-day, was taken up.

Senate Bill No. 65 was read the second time, together with the report of the committee.

Senator Fowler offered certain amendments, and moved their adoption.

Senator Faulkner presented the following communication from Wm. H. English, which was received and invitation accepted, to-wit:

MR. WM. H. ENGLISH

Respectfully invites the members and officers of the General Assembly of the State of Indiana, and their wives and daughters, to a reception at the

HOTEL ENGLISH,

Next Wednesday evening, between 8 and 12 P. M., in honor of

SENATOR DANIEL W. VOORHEES.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Concurrent Resolution No. 1, in relation to the repeal of the law in regard to the payment of arrears of pensions, and instructing our Senators and requesting our Representatives in Congress to favor such legislation immediately, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

Also, the following message from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 8, relating to soldiers' interests, instructing our Senators and Representatives to exercise diligence in looking after such interests, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

On motion of Senator Willard, the Senate took a recess of twenty minutes to go into the House to hear an address from the Hon. Daniel W. Voorhees, Senator-elect.

Senate reconvened and the consideration of the amendments to Senate Bill No. 65, were resumed.

A communication was received from Isaac P. Gray, Governor, in reference to the title to school real estate at Terre Haute.

Read.

On motion of Senator Schloss, the communication was referred to a special committee of five.

Committee appointed: Senators Schloss, Duncan of Brown, May, Youche and Davis.

Senator Brown moved that Senate Bill No. 65, with amendments be recommitted to the Committee on Finance for investigation and report.

The ayes and noes being demanded and called resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Day, Ernest, Faulkner, Fowler, McClure, McIntosh, Null, Thompson and Willard. Total, 11.

Those voting in the negative were:

Senators Benz, Bryant, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Foulke, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, May, McCullough, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Adams, Smith of Delaware, Winter, Youche and Zimmerman. Total, 30.

So the motion to refer was lost.

On motion, Senate adjourned.

RUFUS MAGEE,
President of the Senate, *pro tem.*

TUESDAY MORNING,

JANUARY 27, 1885.

Senate met at 10 o'clock, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. J. A. Rondthaler.

The journal was read in part.

Senator Drake asked leave of absence for Senator Campbell of Hendricks, until Wednesday, 10 A. M.

Granted.

Senator Ernest presented a petition which was referred to the Committee on Education.

Senator Lindley presented a petition on the subject of hucksters and peddlers; referred to the Committee on Cities and Towns, without reading.

Senator McClure presented a petition which was referred to the Committee on Education.

Senator Bryant presented a petition which was referred to the Committee on Education.

Senator Brown presented a petition which was referred to the Committee on Education.

Senator Youche presented two petitions which were referred to the Committee on Cities and Towns.

Senator Duncan of Brown presented a petition which was referred to the Committee on Education.

Senator Macy presented a petition which was referred to the Committee on Education.

Senator Duncan of Tipton presented a petition which was referred to the Committee on Education.

Senator Duncan of Brown presented a petition which was referred to the Committee on Labor.

Senator Moon presented a petition which was referred to the Committee on Education.

Senator Smith of Jay presented a petition which was referred to the Committee on Swamp Lands, etc.

Senator Akdinson presented a petition which was referred to the Committee on Education.

Senator Hoover presented a petition which was referred to the Committee on Military Affairs.

Senator Fowler offered the following notice :

MR. PRESIDENT:

I hereby give notice that on to-morrow I will offer an amendment to Rule 1, so as to change the time of meeting of the Senate from 10 o'clock to 9 o'clock A. M.

Referred to Committee on Rules.

Senator Weir, Chairman of Committee on Claims, presented the following report :

MR. PRESIDENT:

Your committee to whom was referred certain claims covered by Concurrent Resolution No. —, report that at a full meeting of such committee, the same was duly considered, and directed me to report the same to the Senate with the recommendation that said claims be allowed, and that said resolution be adopted.

Adopted.

Senator Foulke, from the Committee on Cities and Towns, made a report on Senate Bill No. 101, recommending that it lie on the table.

Senator Bryant, from the Committee on Public Health and Vital Statistics, presented a report on Senate Bill No. 9, recommending that it do lie on the table.

Senator Rahm, from Committee on Cities and Towns, presented a report on Senate Bill No. 174, recommending that it do pass.

Senator Schloss, from Committee on Cities and Towns, presented a majority report on Senate Bill No. 175, recommending that it do pass.

Senator Foulke presented a minority report on Senate Bill No. 175, recommending that it do lie on the table.

Senator Bailey presented a petition from the Committee on Corporations on Senate Bill No. 96, recommending that it do pass.

Senator Null presented a report from the Committee on Corporations on Senate Bill No. 28, with amendments, and recommend that it do pass.

Senator Null presented a report from the Committee on Corporations on Senate Bill 172, recommending that it do lie on the table.

Senator Null, from same committee, presented a report on Senate Bill No. 7, with amendments, and recommend that it do pass.

Senator Duncan, of Brown, presented a report from the Committee on Education on Senate Bill No. 124, recommending that it do lie on the table.

Senator Duncan, of Brown, from the same committee, presented a report on Senate Bill No. 120, with amendments, and recommended that it do pass.

Senator McIntosh, from the Committee on County and Township Business, presented the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 154, introduced by Senator Peterson, have had the same under consideration, and recommend that said bill do pass.

McINTOSH,
Chairman.

Senator McIntosh presented a petition, which was referred to the Committee on Cities and Towns.

Senator Winter presented the claim of the Board of Commissioners of Marion county for \$4,500.

Which was referred to the Committee on Claims.

Senator McIntosh moved to suspend the constitutional rules, and that Senate Bill No. 154 be read the second time by title, considered engrossed and read a third time by sections and placed upon its passage.

The ayes and noes being called resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 48.

Those voting in the negative were:

Senator Faulkner. Total, 1.

Carried.

Senate Bill No. 154 was read the second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Winter, Youche, Zimmerman. Total, 42.

Those voting in the negative were:

Senator Faulkner. Total, 1.

So the bill passed.

Senator McIntosh, from the Committee on County and Township Business, presented a report on Senate Bill No. 172, recommending that it do pass.

Senator McIntosh, from the Committee on County and Township Business, presented a report on Senate Bill No. 125, recommending that it do pass.

Senator Richardson, from the Committee on Fees and Salaries, presented a report on Senate Bill No. 113, recommending that it do pass.

Senator Richardson, from the Committee on Fees and Salaries, presented a report on Senate Bill No. 117, recommending that it do pass.

Senator Brown, from the Committee on Fees and Salaries, presented a minority report on Senate Bill No. 117, recommending that it be indefinitely postponed.

Senator Richardson, from the Committee on Fees and Salaries, presented a report on Senate Bill No. 72, recommending that it lie on the table.

Senator Faulkner, from the Committee on Federal Relations, on Concurrent Resolution No. 3 reported as follows:

MR. PRESIDENT:

Your committee to whom was referred Concurrent Resolution No. 3 have had the same under consideration, and report that the said resolution be amended by adding after the words "soldiers of the Mexican War," "excepting Jefferson Davis."

Amend by inserting after the words "in the service in the Union army" the following: "and that the Governor be, and he is hereby, authorized to forward to the United States Senators and members of Congress from this State copies of this resolution."

C. R. FAULKNER,
Chairman.

Senator Willard presented the following amendment :

Provided, however, that this shall not apply to Jefferson Davis in case he shall vote the Republican ticket for the balance of his life.

Senator Foulke submitted the following substitute :

Resolved, That while we are unwilling that the subsequent conduct of any veteran in the Mexican War should imperil the claims of his comrades to the grateful recognition which they so justly deserve at the hands of the country, and while we are willing that even those who have participated in the late Rebellion should not be excluded from the pension thus to be granted for their meritorious services in Mexico, it is our earnest desire that Jefferson Davis, late President of the so-called Confederate States, should not be admitted to receive the bounty of a Government which he sought to overthrow for the gratification of his personal ambition, unless in the opinion of our Senators and Representatives his exclusion from the bill granting such pensions would jeopardize or delay the rights of others entitled to pensions.

Senator Smith, of Jay, moved that the report and amendments, etc., be recommitted to Committee on Federal Relations.

Carried.

Senator Johnston, from the Committee on Roads, presented a report on Senate Bill No. 159, recommending that it do pass.

Senator Johnston, from the Committee on Roads, presented a report on Senate Bill No. 123, recommending that it do lay on the table.

Senator Johnston, from the Committee on Roads, presented a report on Senate Bill No. 152, recommending that it be indefinitely postponed.

Senator McCullough, from the Committee on Judiciary, presented a report on Senate Bill No. 140, recommending that it lay on the table.

On motion the report was concurred in.

Senator McCullough, from the Committee on Judiciary, presented a report on Senate Bill No. 157, recommending that it do pass.

Senator McCullough, from the Committee on Judiciary, presented a report on Senate Bill 143, recommending that it do lie on the table.

Senator McCullough, from same committee, presented a minority report on Senate Bill No. 143, recommending that it do pass.

Senator Smith of Jennings, moved that the reports, etc., on Senate Bill No. 143, be made a special order for 2 o'clock Wednesday.

Carried.

Senator McCullough, from Committee on Judiciary, presented a report on Senate Bill No. 147, recommending that it do lie on the table.

Senator McCullough, from same committee, presented a report on Senate Bill No. 155, recommending that said bill do lie on the table.

Adopted.

Senator McCullough, from same committee, presented a report on Senate Bill No. 161, recommending that it do lie on the table.

Senator McCullough, from same committee, presented a report on Senate Bill No. 169, recommending that the bill do pass.

Senator Benz moved to recommit Senate Bill No. 161, to the Judiciary Committee.

Carried.

Senator McCullough, from the Judiciary Committee, presented a report on Senate Bill No. 175, recommending that it do lie on the table.

On motion of Senator Bailey, Senate Bill No. 175, was recommitted to Committee on Cities and Towns.

Carried.

Senator May presented the following joint resolution :

WHEREAS, A fire occurred at the Insane Hospital last night doing damage to the buildings ; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Committee on Benevolent and Reformatory Institutions of the Senate and House, be, and they are hereby requested, to visit the locality of said fire immediately and report the amount of damage done and the necessary steps to be taken in the premises.

Senator Hilligass offered the following amendment :

And that said committee be authorized to inquire into the expediency of providing the necessary protection by water supply, and that they be authorized to call to their aid such experts as may be necessary to secure such information, and the committee to report progress to-morrow morning.

Adopted.

Senator Foulke made a majority report from the Judiciary Committee on Senate Bill No. 122, which report recommended that the bill do pass.

Senator Foulke was called temporarily to the chair during the absence of Lieutenant Governor Manson.

Senator McClure asked leave of absence for the Committee on Benevolent and Reformatory Institutions until Wednesday. Granted.

Senator Fowler made a minority report from the Judiciary Committee on Senate Bill No. 122, which report recommended that said bill lay on the table.

Senator Weir moved to reconsider the vote taken to recommit the Governor's message in relation to the title of certain school real estate in Terre Haute.

Carried.

Senator Weir offered the following resolution :

Resolved by the Senate, the House concurring, That a joint committee of five be appointed, to consist of two from the Senate

and three from the House, to whom shall be referred the communication of the Governor in relation to the title of the State to the lot on which the State Normal School building was erected, as well as all other matters connected therewith.

Adopted.

The committee appointed on the part of the Senate were Schloss and Overstreet.

The resolution in regard to employment of extra pages in the Senate came up as unfinished business, the same being Senator Faulkner's resolution.

The roll being demanded and called on the passage of the resolution, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Duncan of Brown, Faulkner, Hilligass, Howard, Magee, May, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 19.

Those voting in the negative were :

Senators Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ernest, Foulke, Fowler, Hill, Huston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Smith of Delaware, Winter and Youche. Total, 26.

So the resolution was not adopted.

Senator Campbell presented the following resolution :

Resolved, That the officers of the Senate be instructed to prepare at once and put in a conspicuous place a list of the employes of the Senate, as provided in section 4,978 of the Revised Statutes.

On motion of Senator Smith, of Jay, the resolution was laid on the table.

On motion of Senator Hilligass, the Senate adjourned.

AFTERNOON SESSION.

TUESDAY, January 27, 1885.

Senate met at 2 o'clock, with Senator Magee in the chair.

Senator Marshall presented the following Senate Concurrent Resolution No. 11:

Resolved, By the Senate, the House concurring therein, that the following amounts be allowed the persons herein named as per bills rendered by them, on account of the inauguration of Governor and Lieutenant-Governor, as follows:

To English's Opera House, for use of opera house.....	\$75 00
To H. D. Beissenherz for services of band at inauguration.....	35 00
To Wm. B. Burford for envelopes, invitations, tickets and stamps.....	52 50
To E. M. Dasher for bunting, flags, shields, flags of all nations, floral decorations, ushers, etc., and all extra work on decorations, etc., of opera house.....	120 00
To 300 extra chairs.....	27 00
Total expenses of inauguration.....	\$309 50

And that the President of the Senate be, and is hereby authorized to draw his warrant in favor of said parties for said amounts.

Read and referred to Committee on Claims.

Senator McCullough moved that the Doorkeeper exclude from the floor of the Senate all boys not employed as pages.

Carried.

Special order for 2 o'clock to-day was then taken up, the same being the consideration of Senate Bill No. 26, making appropriations for the new Insane Asylums.

Senator Willard moved that Senate Bill No. 26 be referred back to Committee on Buildings to make appropriations contained therein specific.

Senator Magee moved the previous question, which was seconded.

The vote was then taken on Senator Willard's amendment.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Day, Ernest, Faulkner, Fowler, McIntosh, Null, Thompson, Weir, Willard. Total, 12.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Duncan of Brown, Foulke, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McCullough, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Winter, Youche, Zimmerman. Total, 28.

So the motion was lost.

The question being on Senator Fowler's amendment:

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Ernest, Fowler, McIntosh, Thompson, Weir. Total, 7.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of Starke, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Faulkner, Foulke, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, May, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Winter, Youche and Zimmerman. Total, 30.

So the amendment was not carried.

The question being on engrossment of Bill No. 65.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Faulkner, Foulke, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Weir, Winter, Youche, Zimmerman. Total, 33.

Those voting in the negative were:

Senators Brown, Ernest, Fowler, McIntosh. Total, 4.

So the bill was ordered engrossed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 3, to provide a treasury system for the State of Indiana, etc., and declaring an emergency, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

On motion the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

JANUARY 28, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by Senator Davis, of Elkhart.

Journal read in part.

Senator Shively offered a petition in regard to the passage of Senate Bill No. 139.

Was read and referred to Committee on Organization of Courts.

Senator Huston presented a petition in regard to hucksters and peddlers.

Which was referred to Committee on Cities and Towns.

Senator McIntosh presented a petition on same subject.

Which was referred to Committee on Cities and Towns.

On motion of Senator Magee, Engrossed Senate Bill No. 65 was taken up and read a third time.

The question being, Shall the bill pass?

The ayes and noes being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 44.

Those voting in the negative were:

Senators Ernest, McClure and Willard. Total, 3.

So the bill passed.

Senator Sellers moved that the title of Senate Bill No. 65 be amended so as to declare an emergency therefor.

So ordered by unanimous consent.

The title of said bill was then adopted as amended.

The President appointed the following committee to investigate the Treasurer of State on the part of the Senate under Concurrent Resolution No. —:

Senators McCullough, Hilligass, Smith of Jennings, Foulke and Lindley.

Senator Foulke, by consent, introduced Senate Bill No. 191, entitled:

An act to restrain the manufacture, sale and use of dangerous explosives.

Read first time and referred to Committee on Judiciary.

Senator Smith, of Jennings, called up Engrossed Senate Bill No. 16.

Which was read the third time.

The question being, Shall the bill pass?

The ayes and noes being taken, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, and Zimmerman. Total, 43.

None voting in the negative.

So the bill passed.

The title of said bill was adopted as read.

Senator Bailey moved that Senate Bill No. 98 be referred back to the Committee on Cities and Towns.

Carried.

The Committee on Benevolent Institutions, to whom was referred the subject of the fire at the Insane Asylum, presented the following report:

MR. PRESIDENT:

Your Committee on Benevolent Institutions, in obedience to the resolution of the Senate, report that they visited the Indiana Hospital for the Insane as directed, and find that about 1 o'clock on the morning of January 27, 1885, a fire was discovered by the outside watchman in the drying room of the laundry in the department for women. The room in which the fire was first noticed was located in the second story and immediately above the engine room. On the day preceding, the clothing of about three hundred persons was placed on the racks in the drying room to be dried by steam heat and was there at the time of the fire. The clothing was principally cotton goods. There was no stove, grate, fire or light used in the room in which the

fire broke out, and the usual inspection of the room was made at 9 o'clock of the preceding night and no danger was then noted. We find no evidence of negligence on the part of any of the officers or employes of the asylum.

We further report that the laundry, engine room and bakery are a total loss. The west extension of the main building, in which was located the chapel and main dining room, with the kitchen basement below, is badly damaged, but the brick walls appear unimpaired. The engine and boilers are only slightly damaged, also the laundry machinery in part, but the steam pipes in the engine rooms are a total loss.

We further find that the water supply and the facilities for using water in case of fire are wholly insufficient and inadequate. We find that the inmates have not suffered for food or heat, and at this time it is reported that the boilers are working sufficiently to make the building comfortable.

We recommend that the Senate vote for an appropriation of \$3,000 for immediate use to pay the extra force of men now at work and other pressing demands occasioned by the fire.

D. McCLURE,
CAMPBELL, of Hendricks,
SMITH, of Jay,
D. C. BRYANT,
J. S. DRAKE,

Committee.

Adopted.

The Chair presented a communication from Dr. J. Swerper.

Which was read and referred to the chairman of the Committee on Public Health and Vital Statistics.

Engrossed House Bill No. 3 was called up and read the first time, and referred to Committee on Finance.

Senate Bill No. 22 was read the second time, together with the following report of the committee:

MR. PRESIDENT :

The Committee on Benevolent and Reformatory Institutions having had under consideration Senate Bill No. 22, recommend that it be amended by inserting between lines 1 and 2 of page 3, the following:

Provided further, That before a county can unite in ordering a sale, as specified in this act, all of the Commissioners of such county shall unite in such order.

After such amendment is inserted, your committee recommend that the bill do pass.

The report not concurred in.

Senator Youche offered the following amendment to Senate Bill No. 22:

I move to amend Senate Bill No. 22 by inserting the words "Boards of" before the words "County Commissioners," in line 5, and before the words "Commissioners," in lines 10, 13 and 21 in the printed bill. Also strike out words "two-thirds of," in line 14.

On motion of Senator May, the Senate adjourned.

AFTERNOON SESSION.

JANUARY 28, 1885.

Senate met at 2 o'clock, with Lieutenant-Governor Manson in the chair.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 326, making an appropriation for the Hospital for the Insane, and declaring an emergency.

Also, House Concurrent Resolution No. 10, providing that three members of the House and two members of the Senate be appointed to investigate all charges against officers and employes of the Soldiers' Orphans' Home and Asylum for Feeble-Minded Children, and that said committee have full authority to send for persons and papers, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

On motion, House Concurrent Resolution was taken up, read and adopted.

Committee appointed—Senators Johnston and Macy.

Senator Fowler moved to take up House Bill No. 326 and suspend the constitutional rule, and read the bill first and second time by title, consider the bill engrossed, read the third time by sections, and placed upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 45.

No one voting in the negative.

So the rules were suspended.

Engrossed House Bill No. 326 was taken up, read first and second time by title, considered engrossed and read the third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, and Zimmerman. Total, 45.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Campbell of St. Joseph moved that the special order set for Wednesday afternoon be postponed until after disposition of the bill now pending.

Consented to.

Senator Davis presented the following amendment:

Amend section 1 by inserting the words "at any regular session" after the word "may" in line 10.

Also by inserting the words "at any regular session" after the word "order" in line 15.

Adopted.

Senator Drake offered the following amendment to Senate Bill No. 22:

MR. PRESIDENT:

I move to amend Senate Bill No. 22 by inserting after the word "same" in line 13 of section 1 the following words: "and each county may appropriate a sum not to exceed five thousand dollars for said purpose."

Adopted.

Senator Smith of Jennings offered the following amendment:

MR. PRESIDENT:

I move to amend by striking out all after the word "Commissioners" in line 5, to and including the word "interest" in line 6 in section 1, and inserting in lieu thereof the word "shall."

Not adopted.

Senator Campbell moved that Senate Bill No. 22 be ordered engrossed.

Carried.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 10, in relation to paying the employes of the State Librarian in organizing the present General Assembly, and the same is herewith transmitted to the Senate.

DARNELL,
Principal Clerk.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. 8, in relation to the title of the lot on which the State Normal School stands, and Messrs. French, Butz and Smith, of Tippecanoe, are appointed as a committee on the part of the House in relation to this matter.

DARNELL,
Principal Clerk.

Special order for Wednesday afternoon was taken up, the same being the consideration of Senate Bill No. 143, together with the majority and minority report from the Judiciary Committee.

The same were read.

Senator Smith, of Jennings, moved that the minority report be concurred in.

On motion the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

JANUARY 29, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Lieutenant Governor, who recited the 133d Psalm.

Journal read in part, and on motion further reading dispensed with.

Senator Fowler gave notice that on to-morrow he would move to change the constitutional rules as follows:

MR. PRESIDENT:

I hereby give notice that on to-morrow I will make a motion to change Rule 59, so as to only print such bills as are recommended to be printed by the committee reporting such bills.

Senator Smith, of Jay, introduced Senate Bill No. 192, entitled:

An act concerning appeals to the Supreme Court.

Read first time and referred to Committee on Judiciary.

Senator Fowler, by consent, introduced Senate Bill No. 193, entitled:

An act to repeal an act entitled an act to amend section 4 of act approved March 5, 1878, and section 4556 of the Revised Statutes of 1881, and to repeal all laws in conflict therewith.

Read first time and referred to the Committee on Judiciary.

Senator May introduced Senate Bill No. 194, entitled:

An act defining the jurisdiction and powers of Justices of the Peace and Town Marshals, allowing Town Marshals certain fees in addition to salaries and fees already received by them, and other matters connected therewith, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Peterson introduced Senate Bill No. 195, entitled:

An act to amend section four (3431) of an act entitled an act to authorize the formation of companies for the detention and apprehension of horse thieves and other felons, and for mutual protection, and repealing all laws inconsistent therewith. Approved December 21, 1881.

Read the first time and referred to the Committee on Judiciary.

Senator Sellers presented the following resolution :

Resolved, That the Chairman of the Committee on Phraseology and Arrangement of Bills and Unfinished Business, be, and is hereby authorized to select and appoint a clerk for said committee.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hoover, Magee, Moon, McClure, McIntosh, Null, Peterson, Schloss, Sellers, Shively, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 26.

Those voting in the negative were :

Senators Adkinson, Brown, Campbell of St. Joseph, Davis, Faulkner, Huston, Macy, May, Overstreet, Rahm, Richardson, Smith of Delaware, and Youche. Total, 13.

Adopted.

The Committee on Investigation of State Treasurer Cooper was given leave of absence until this afternoon.

Senator May moved that George A. Russ be appointed a page in the Senate.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Campbell of Hendricks, Day, Duncan of Brown, Faulkner, Fowler, Hoover, Johnston, Magee, Marshall, May, Moon, McIntosh, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jay, Thompson, Weir, Willard, Zimmerman. Total, 25.

Those voting in the negative were :

Senators Brown, Bryant, Campbell of St. Joseph, Davis, Duncan of Tipton, Ensley, Ernest, Hill, Huston, Macy, McClure, Overstreet, Richardson, Smith of Delaware, Winter, Youche. Total, 16.

Carried.

Senator Magee introduced Senate Bill No. 196, entitled :

An act authorizing the Governor, Auditor and Treasurer of State to make an additional temporary loan, and making provision for the funding of the present outstanding temporary loan at a lower rate of interest, and declaring an emergency.

Read the first time.

Senator Magee moved that the constitutional rule be suspended and Senate Bill No. 196 be read a second time by title.

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Hill, Hoover, Huston, Johnston, Macy, Magee, Marshall, May, Moon, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Smith of Adams, Smith of Delaware, Thompson, Weir, Youche and Zimmerman. Total, 33.

Those voting in the negative were :

Senators Davis, Fowler, McClure, McIntosh, Richardson, Willard and Winter. Total, 7.

Lost for want of a constitutional majority.

Senator Davis introduced Senate Bill No. 197, entitled :

An act concerning the State Library.

Read first time and referred to Committee on Education.

Senator Brown introduced Senate Bill No. 198, entitled :

An act to divide the State into Congressional Districts.

Read first time and referred to Committee on Congressional Apportionment.

Senator McIntosh introduced Senate Bill No. 199, entitled :

An act to amend section 17 of an act entitled "An act to amend the 17th section of the act entitled, 'An act providing for the organization of County Boards and prescribing their powers and duties' (being section 5749 of Revised Statutes of 1881), approved June 17, 1852, and March 4, 1869."

Also, an act to amend section 18 of an act entitled "An act providing for the organization of County Boards, and prescribing their powers and duties, approved June 17, 1852, being section 5750 of Revised Statutes of 1881."

Read first time and referred to Committee on County and Township Business.

The following message was received from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has pass House Bill No. 6, to prohibit ball playing on Sunday, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

Senator Willard called for regular order.

Senator Smith, of Delaware, was called to the chair.

Regular order of business was then taken up, the same being Senate bills on second reading.

Senate Bill No. 5 was read the second time together with the report of the Committee on Cities and towns.

Senator Campbell, of St. Joseph, moved that Senate Bill No. 5, be engrossed.

Carried.

Senate Bill No. 25 was read the second time, together with the report of the committee.

Senator Willard moved that Senate Bill No. 25 be referred to a special committee of three.

Carried.

Committee appointed: Senators Ensley, Campbell of Hendricks, and Drake.

Senate Bill No. 7 was read the second time, together with the report of the committee.

Senator Campbell of Hendricks offered the following amendment:

I move to amend by striking out the words "has been" in line 2 of section 1, and inserting the word "was," and by inserting between the words "upon" and "the" in line 3 of said section 1 the words "before the first day of January, 1885."

Amendment adopted.

Senator Schloss moved that Senate Bill No. 7 be engrossed as amended.

Carried.

Senate Bill No. 38 was read the second time, together with the report of the committee.

Senator Magee moved to lay the report on the table, and that the bill be indefinitely postponed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ernest, Fowler, Hill, Huston, Johnston, Macy, Magee, Marshall, Moon, McClure, Null, Overstreet, Peterson, Schloss, Sellers, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche. Total, 31.

Those voting in the negative were:

Senators Brown, Davis, Faulkner, May, McIntosh, Rahm, Richardson, Shively, Willard, Zimmerman. Total, 10.

So the motion was carried.

Senate Bill No. 49 was read the second time, together with the report of the committee, recommending that said bill do pass.

Which was concurred in.

Senate Bill No. 46 was read the second time, together with the report of the committee.

Which report was concurred in.

Senate Bill No. 28 was read the second time, together with the report of the Committee on Corporations.

Which report was concurred in.

Senate Bill No. 47 was read the second time, together with the report of the committee.

On motion, Senate adjourned.

AFTERNOON SESSION.

JANUARY 29, 1885.

Senate met at 2 o'clock p. m., with Lieutenant Governor Manson in the chair.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, January 29, 1885.

Gentlemen of the Senate:

By an examination of official records, I find there has been no appointments made for nearly four years of Trustees of the Indiana State Normal School, and by this means officers have been permitted to hold office for more than four years, contrary to the letter of the law and against the spirit of the Constitution, which limits official terms, unless reappointed, subject to the approval of the Senate.

By 4544 of the Revised Statutes of 1881, the term of office of a Trustee is four years, and two members of the Board of Trustees of the Indiana State Normal School shall retire every two years.

Therefore, in order to comply with said section, and preserve the usual date for the retirement of said two members, I have the honor to make the following appointments, subject to the approval of the Senate, for the terms hereinafter stated, to-wit:

Murray Briggs, of Sullivan county, to be a member of said Board of Trustees, to succeed himself, and to serve as such for a term of four years from the 20th day of December, 1881, and until his successor shall have been appointed and qualified.

Hon. Wm. E. McLean, of Vigo county, to be a member of said Board of Trustees, to succeed Joseph Gilbert, and to serve as such for a term of four years from the 20th day of December, 1881, and until his successor shall have been appointed and qualified.

Benjamin F. Spann, of Madison county, to be a member of said Board of Trustees, to succeed George I. Reed, and to serve as such for a term of four years from the 20th day of December, 1883, and until his successor shall have been appointed and qualified.

Barnabas C. Hobbs, of Parke county, to be a member of said Board of Trustees, to succeed himself, and to serve as such for a term of four years from the 20th day of December, 1883, and until his successor shall have been appointed and qualified.

ISAAC P. GRAY,
Governor.

Was read and referred to the Committee on Executive Appointments.

The Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT :

Your Committee on Enrolled Bills report that House Bill No. 88 is correctly enrolled, and has been compared with the engrossed bill.

A. G. SMITH,
Chairman.

Concurred in.

Senator Drake made the following report from the special committee on Senate Bill No. 25, to-wit:

MR. PRESIDENT :

Your special committee, to whom was referred Senate Bill No. 25, recommend that said bill be amended as follows:

After the word "that" in line 2 of section 1 insert these words: "After the 1st of August, 1885;" and after the words

"shall be" in line 4 of section 1 insert the word "held;" and that an additional section, numbered section 2, be added, to read as follows:

SECTION 2. All writs, subpoenas, publications, rules, bonds, recognizances, orders, or processes of whatever kind, returnable to any term of either of said Courts, as heretofore fixed by law, shall be deemed and held to be returnable after the 1st day of August, 1885, to the first term of said Court, as provided by this act.

And that section 2 of said bill be numbered section 3, and that section 3 be stricken out of said bill.

And your committee recommend that said bill when so amended do pass.

DRAKE,

ENSLEY,

CAMPBELL, of Hendricks.

Concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has passed House Bill No. 15, making appropriation for Purdue University, and declaring an emergency.

Also, House Bill No. 17, to legalize the appointment of Trustees in certain cases, and the same are herewith transmitted to the Senate for its action thereon.

DARNELL,

Principal Clerk.

Senator Campbell of St. Joseph, Senator Weir, Senator Adkinson, Senator Youche, Senator Bryant, and Senator Davis, presented petitions from their constituents, on military affairs.

Which were referred without reading to the Committee on Military Affairs.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 7, to amend section 38 of an act entitled, an act providing for the election and qualification of Justices of the Peace, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,

Principal Clerk.

Senator Fowler presented a petition on medical legislation which was referred without reading to the Committee on Vital Statistics.

The hour arriving for special order it was taken up, the same being the discussion of Senate Bill No. 143.

The question being on the adoption of the minority report, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Hoover, May, Moon, McClure, McIntosh, Null, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard and Zimmerman. Total, 23.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Huston, Johnston, Lindley, Macy, Magee, Marshall, McCullough, Overstreet, Peterson, Sellers, Smith of Delaware, Weir, Winter and Youche. Total, 24.

So the minority report was not concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 48, to amend an act concerning taxation.

Also,

House Bill No. 72, for an act to amend section 7 of an act entitled "An act providing for the election, and prescribing the duties of the Clerk of the Supreme Court," and the same are herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

Senator Foulke moved that the majority report of the Judiciary Committee on Senate Bill No. 143, be adopted.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Fowler, Huston, Johnston, Lindley, Macy, Magee, Marshall, McCullough, Overstreet, Smith of Delaware, Weir, Winter and Youche. Total, 22.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Johnston, May, Moon, McClure, McIntosh, Null, Peterson, Rahm, Richardson, Sellers, Smith of Jennings, Smith of Jay, Thompson, Willard and Zimmerman. Total, 25.

Not concurred in.

Senator Willard moved that Senate Bill No. 143 be recommended to the Judiciary Committee.

Carried.

Senator Hilligass introduced Senate Bill No. 200, entitled :

'An act to provide for the public printing, etc., and declaring an emergency.

Read first time and referred to Committee on Public Printing.

Senator Faulkner asked leave of absence for Senator May from Friday until next Thursday at 2 p. m.

Granted.

Senator Campbell, of St. Joseph, asked leave of absence for Senator Weir until next Wednesday.

Granted.

Senate Bill No. 47 was read a second time, together with the report of the Judiciary Committee.

On motion of Senator Magee, Senate Bill No. 47 was made the special order for next Wednesday, at 2 o'clock p. m.

Senate Bill No. 13 was next called up, when by consent of Senate and on motion of Senator Weir said bill was permitted to lay on the table until some future time.

Senate Bill No. 57 was read the second time, together with the report of the committee.

Which report was concurred in.

Senate Bill No. 59 was read the second time, together with the report of the committee.

Which report was concurred in.

Senator Adkinson offered the following concurrent resolution:

Be it resolved by the Senate, the House of Representatives concurring, That the joint committee to attend the funeral services of the late Schuyler Colfax be and they are hereby allowed the following sums for expenses incurred in the discharge of their duties as such committee, to-wit:

Louis D. Adkinson	\$12 00
Heber J. May	12 00
Isaac D. Dunn.....	12 00
Marquis L. McClelland.....	12 00
Albert D. Toner.....	12 00

And that the President of the Senate and the Speaker of the House of Representatives are directed to sign warrants for said sums for the said committeemen who are members of their respective houses.

L. D. ADKINSON.

Concurred in.

On motion of Senator Magee the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

JANUARY 30, 1885.

Senate met in regular session.

Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Bradley, St. Johns' Episcopal church.

Journal read in part, and on motion, further reading was dispensed with.

Senator Schloss asked leave of absence for Senator Youche until next Wednesday A. M.

Granted.

Senator Campbell, of Hendricks, asked leave of absence for Senator Drake until Wednesday of next week.

Granted.

Senator Lindley asked leave of absence for Senator Duncan, of Brown, until Tuesday P. M.

Granted.

Senator McIntosh asked leave of absence for Senator Benz until Monday 2 P. M.

Granted.

Senator Smith, of Jay, moved that when the Senate adjourn this P. M., it be until Monday 10 o'clock.

Carried.

Senator Fowler moved, that the following change be made in the rules of the Senate:

MR. PRESIDENT:

I move to amend rule 59 for the government of the Senate, so that the same will read as follows:

Whenever a bill is reported by a committee with the recommendation that it pass, and if the committee to whom was

referred such bill shall recommend that the same be printed, then seventy-five copies of such bill shall be printed, and one copy laid on the desk of each Senator, and no bill shall be read a second time until one day after such distribution, unless the Senate otherwise order. Whenever any such committee report in favor of the passage of a bill, with amendments, said bill shall be printed as amended, if the committee shall so recommend: *Provided*, That in any case the printing of a bill, with or without amendments, may be dispensed with, if the Senate shall so order.

FOWLER.

The ayes and noes being demanded, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of Hendricks, Drake, Fowler, Hill, Johnston, McClure, McIntosh, Richardson, Smith of Jennings, Smith of Jay, Thompson and Willard. Total, 12.

Those voting in the negative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Hilligass, Huston, Lindley, Macy, Magee, Marshall, Moon, McCullough, Null, Overstreet, Peterson, Rahm, Schloss, Shively, Smith of Delaware, Winter, Youche and Zimmerman. Total, 30.

So the amendment was not adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has agreed to House Joint Resolution No. 1, proposing an amendment to section two of article six of the constitution, and the same has been entered at length with the ayes and noes thereon, on the journal of the House, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

Senator Fowler moved that the following change be made in Rule No. 1 of the Senate:

MR. PRESIDENT:

I move to amend Rule 1 for the government of the Senate as follows, to-wit:

The President shall take the chair every day precisely at nine o'clock in the forenoon and two o'clock in the afternoon, unless the Senate shall, by motion, have adjourned to some other hour appointed by such motion. He shall immediately call the Senators to order and shall cause the journal of the preceding day to be read.

FOWLER.

The ayes and noes being demanded, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of St. Joseph, Duncan of Brown, Ernest, Foulke, Fowler, Hill, Hilligass, Johnston, Macy, Moon, McIntosh, Overstreet, Peterson, Rahm, Schloss, Smith of Jay, Thompson. Total, 17.

Those voting in the negative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Ensley, Faulkner, Hoover, Huston, Lindley, Magee, Marshall, McClure, McCullough, Null, Richardson, Sellers, Shively, Smith of Jennings, Smith of Delaware, Willard, Winter, Youche, Zimmerman. Total, 28.

So the amendment was not adopted.

Senator Foulke arose to a question of privilege, and made a statement in regard to his position on the special committee on investigating State Treasurer Cooper.

Senators McCullough and Willard arose to a point of order.

Well taken.

Senator Duncan, of Brown, introduced Senate Bill No. 201, entitled:

An act for the relief of Joel S. Davis, and authorizing the refunding to him of certain damages paid by him into the treasury of Bartholomew county.

Read first time and referred to Committee on Claims.

Senator McClure presented a memorial from the health officers of the State.

Was referred to Committee on Prisons without reading.

Senator Ernest presented a petition from citizens of Knox county, in reference to schools, etc.

Referred to Committee on Public Schools.

Senate Bill No. 62 was read the second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 62, a bill for an act in relation to the continuance of the term of court until the conclusion of the trial in progress, and the committee direct me to report the bill back with the recommendation that the same do pass.

McCULLOUGH.

Senator McCullough moved to adopt report of the committee and that bill be engrossed without printing.

Carried.

Senate Bill No. 79 was read the second time, together with the report of the committee, recommending that said bill do pass.

Senator Davis introduced the following amendment to Senate Bill No. 79:

Amend by inserting after the word "himself" in line 6, section 1, the following words: *Provided further*, That no person shall receive pay for sheep killed or maimed by a dog, until he has prosecuted the owner of the dog that killed the sheep for damage, or killed the dog, if the owner of such dog is known.

Adopted.

On motion, Senate Bill No. 79 was referred to Committee on Agriculture together with the amendments.

Senate Bill No. 58, was read the second time, together with the report of committee.

[Place for amendments of Senators Sellers, Magee, and others.]

Senator Day moved that Senate Bill No. 58, together with amendments, be engrossed.

Senator Davis moved that Senate Bill No. 58 be reprinted with amendments.

Senator Sellers moved Senate Bill be recommitted to Committee on County and Township Business.

Carried.

Senators Schloss, Overstreet, Sellers, Lindley, Foulke, Shively, Fowler and McIntosh presented petitions on military affairs from citizens of their respective counties.

Which were referred without reading to the Committee on Military Affairs.

Senator Smith, of Jennings, presented a petition on laws which should be abolished.

Which was referred to Committee on Public Health and Vital Statistics.

Senator Willard presented a report from Committee on Finance on Senate Bill No. 196, and moved to suspend the regular order and read bill second time.

Carried.

Senator Willard moved that Senate Bill No. 58 and amendments be printed and made special order for Monday at 3:30 P. M.

Carried.

Senator Sellers introduced the following Concurrent Resolution:

Resolved by the Senate, the House concurring, That the extra employes of the Senate and House of Representatives, whose employment has been authorized by a resolution of either, be placed upon the respective rolls of said bodies, and that the

Auditor of State be, and is hereby, ordered to issue his warrant accordingly, upon the certificate of the proper officer; and be it further

Resolved, That the pay of said employes shall begin at the time when their services actually commenced.

Adopted.

Senator Sellers presented the following :

MR. PRESIDENT :

I beg leave to report that I have appointed Walter S. Hartman, of White county, Clerk of the Committee on Phraseology, Arrangement of Bills and Unfinished Business.

By request the President appointed Senator Brown as a member of the Committee on Public Health and Vital Statistics, temporarily.

Senator Day made a report from the Committee on Railroads on Senate Bill No. 189, and recommended that the bill do pass.

Senator Willard moved to reconsider the matter to adjourn until Monday at 10 o'clock A. M.

Carried.

Senator Willard moved that when the Senate ajourns this afternoon, it be until to-morrow morning, and that no business shall be transacted except reading of bills the first time and introducing petitions, memorials, etc.

Carried.

On motion the Senate adjourned.

AFTERNOON SESSION.

JANUARY 30, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair.

Senator Smith of Delaware presented a petition, which was referred to Committee on Military Affairs.

Senator Macy presented a petition, which was referred to Committee on Rights and Privileges.

Senators Duncan of Tipton, Moon and Drake presented petitions, which were referred to Committee on Education.

Senator Campbell of St. Joseph asked leave of absence for Senator McIntosh until Monday P. M.

Granted.

Senator Magee asked leave of absence for himself until Monday P. M.

Granted.

Senator Macy asked leave of absence for Senator Duncan of Tipton until Monday P. M.

Granted.

Senator Fowler asked leave of absence for Senator Schloss until Monday A. M.

Granted.

Senate Bill No. 112 was read the second time, together with the report of the committee.

Senator Davis introduced the following amendment to Senate Bill No. 112, as follows :

After "thereto" in line 3, section 1, insert "And all others having actual notice thereof."

Not adopted.

Senator Foulke introduced the following amendment to Senate Bill No. 112, as follows:

MR. PRESIDENT:

I move to amend Senate Bill No. 112 by inserting after the word "void," in line 3 (printed bill), the words, "and the title to said property shall be vested in the vendee or lessee."

Adopted.

Senator Smith, of Jay, offered the following amendment to Senate Bill No. 112:

MR. PRESIDENT:

I move to amend section 2 of said bill by striking out the words, "ten cents for each hundred words," in line 4, and insert instead, "the same fees as in cases of recording chattel mortgages."

Rejected.

Senator Foulke introduced the following amendment to Senate Bill No. 112, as follows:

Amend Bill No. 112 by adding to word "unless," in line 3, the words, "said sales or leases are."

Adopted.

Senator Winter offered the following amendment to Senate Bill No. 112:

Amend section 2 as follows:

Provided, That the fee in no case shall be less than fifty cents.

Adopted.

Senator Willard offered the following amendment to Senate Bill No. 112:

Strike out the word "less," and insert the word "more."

Rejected.

Senator Fowler moved that Senate Bill No. 112, with amendments, be engrossed.

Carried.

Senator Smith of Jennings moved that the constitutional rule be suspended, and that Senate Bill No. 73 be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Ernest, Faulkner, Fowler, Hill, Hilligass, Howard, Johnston, McClure, McCullough, McIntosh, Null, Peterson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard and Zimmerman. Total, 24.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Magee, Marshall, Moon, Overstreet, Richardson, Smith of Delaware, and Winter. Total, 18.

So the rules were not suspended.

Senator Magee asked that Senator Faulkner be excused until to-morrow A. M.

Granted.

Senator Smith of Jennings moved that Senate Bill No. 73 be read the second time.

Carried.

Senate Bill No. 112 was read the second time, together with the report of the committee.

Senator Magee moved that Senate Bill No. 112 be referred to a special committee of three.

Carried.

Committee appointed—Senators Magee, Smith of Jennings, and Foulke.

Senator Smith, of Jay, moved to postpone the special order of to-day until next Tuesday at 10 o'clock A. M.

The same being the consideration of Senate Bill No. 41.

Carried.

Senate Bill No. 169 was read the second time, together with the following report :

MR. PRESIDENT :

Your Committee on Judiciary have had under consideration Senate Bill No. 169, a bill for an act to amend section 638 of the civil code, the same being section 650 of the Revised Statutes of 1881, and the committee direct me to report the bill back to the Senate with the recommendation that it pass.

McCULLOUGH,
Chairman.

On motion, Senate Bill No. 169 was ordered engrossed.

Senator Smith, of Jennings, from special committee on Senate Bill No. 78, made report and moved the adoption of original committee report with amendments, and also the special committee.

On motion of Senator Macy, Senate Bill No. 78 was made special order for next Thursday afternoon.

Carried.

President announced that he had signed Enrolled House Bill No. 326.

Senate Bill No. 67 was read second time, together with the following report :

MR. PRESIDENT :

Your Committee on the Judiciary have had under consideration Senate Bill No. 69—a bill for an act concerning the collection of taxes of incorporated towns and cities—and direct me to report the bill back to the Senate with the recommendation that it be amended as follows: Insert in section 1 after the words, “and the Common Council of any city in this State,” the words, “containing a population of less than seventy thousand, as shown by the last census of the United States;” and your committee further recommend that said bill when so amended do pass.

J. E. McCULLOUGH,
Chairman.

Adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 30, for an act prescribing the powers and duties of County Coroners.

Also House Bill No. 35, for an act to change the time of holding courts in the Third Judicial Circuit, and declaring an emergency.

Also House Bill No. 32, providing for the purchase of all stationery for county officers by the County Commissioners.

Also House Bill No. 37, for an act appropriating money for the building of a brick barn at the Reform School.

And the same are herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

Senator Willard asked leave of absence for Senator Hoover until Monday afternoon.

Granted.

Senator Willard asked leave of absence for Senator Null until Monday next.

Granted.

Senate Bill No. 76 was read a second time, together with the following report :

MR. PRESIDENT :

Your Committee on the Judiciary have had under consideration Senate Bill No. 76, a bill for an act to amend section 471 of an act entitled "An act concerning proceedings in civil cases," approved April 7, 1881, and direct me to report the bill back to the Senate with the recommendation that it be amended as follows: Insert the words "the same being section 593 of the Revised Statutes of 1881" after "1881" in section 1 of said bill. Insert in the same section "by virtue of his office" after the words "Prosecuting Attorney." And the committee further recommend that when so amended said bill shall pass.

McCULLOUGH,
Chairman.

Report concurred in.

Senate Bill No. 74 was read the second time, with the following report:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 74 have had the same under consideration, and a majority of said committee direct me to return the bill with the recommendation that it do pass.

J. M. SMITH,
Chairman.

Concurred in.

Senator Smith, of Jay, moved that Senate Bill No. 74 be engrossed.

Carried.

Senate Bill No. 64 was read the second time, together with the following report:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 64, a bill for an act concerning short-hand reporters in Courts of record in this State, and direct me to report the same back to the Senate with the recommendation that it be amended so as to read as follows, and that when so amended that it do pass.

McCULLOUGH,
Chairman.

Senator Macy moved the following amendments to Senate Bill No. 64:

Senator Willard moved to adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Davis, Drake, Sellers, Shively, Smith of Adams, Willard and Zimmerman. Total, 7.

Those voting in the negative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Duncan of Hamilton, Ensley,

Ernest, Fowler, Hill, Hilligass, Huston, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Thompson and Winter. Total, 27.

So the motion was lost.

On motion, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING,

JANUARY 31, 1885.

Senate met at 10 o'clock with Senator Johnston in the chair.

Opened with prayer by Representative Smith.

Senator Bryant presented a petition which was referred to Committee on Education, without reading.

Senator Bryant presented a petition which was referred to Committee on Cities and Towns, without reading.

Senator Marshall presented a petition which was referred to Committee on Public Health and Vital Statistics, without reading.

Senator Marshall presented a petition which was referred to Committee on Education, without reading.

Senator Ernest presented a petition which was referred to Committee on Education, without reading.

Senator Duncan, of Brown, presented a petition which was referred without reading to Committee on Military Affairs.

Senator Duncan, of Brown, presented a petition which was referred to Committee on Education, without reading.

Senator Fowler presented a petition which was referred to Committee on Public Health and Vital Statistics, without reading.

Senator Adkinson presented a petition which was referred to Committee on Public Health and Vital Statistics, without reading.

Senator Bailey introduced Senate Bill No. 202, entitled:

An act limiting Insurance Companies.

Read first time and referred to Committee on Insurance.

Senator Marshall asked leave of absence for Senator Ernest until next Monday.

Granted.

Senator Brown introduced Senate Bill No. 203, entitled:

An act to amend section 11 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of Court incident thereto, and repealing all laws conflicting with this act, and declaring an emergency," approved March 10, 1873, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Campbell, of Hendricks, introduced Senate Bill No. 204, entitled:

An act to amend sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act providing for the appraisement, purchase and conversion of toll roads into free roads, and for their maintenance as as free roads," approved March 8, 1883, and declaring an emergency.

Read first time and referred to Committee on Roads and Highways.

Senator Davis introduced Senate Bill No. 205, entitled:

An act concerning a County Attorney.

Was read the first time and referred to Judiciary Committee.

Senator Davis introduced Senate Bill No. 206, entitled :

An act to amend section 288 of an act entitled, an act concerning proceedings in criminal cases, approved April 19, 1881.

Read first time and referred to Committee on County and Township Business.

Senator Day introduced Senate Bill No. 207, entitled :

An act to prescribe the duties of City Treasurer.

Read first time and referred to Committee on Cities and Towns.

Senator Duncan, of Brown, introduced Senate Bill No. 208, entitled :

An act to create the Tenth, Fifteenth, Nineteenth and Forty-sixth Judicial Circuits.

Read first time and referred to Committee on Organization of Courts.

Senator Ensley introduced Senate Bill No. 209, entitled :

An act fixing a uniform time for the expiration of the term of office of County Treasurers of the State of Indiana.

Read the first time and referred to the Committee on County and Township Business.

Senator Foulke introduced Senate Bill No. 210, entitled :

An act concerning County Superintendents of Schools.

Read first time and referred to Committee on Education.

Senator Fowler introduced Senate Bill No. 211, entitled :

An act fixing the jurisdiction of Justices of the Peace, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Hill introduced Senate Bill No. 212, entitled :

An act supplementary to an act entitled an act providing for voluntary assignment of personal and real property in trust for the benefit of creditors and regulating the mode of administering the same. Approved March 5, 1859.

Read the first time and referred to Committee on Judiciary.

Senator Hilligass introduced Senate Bill No. 213, entitled :

An act authorizing municipal corporation to purchase and hold real estate for sanitary purposes.

Read the first time and referred to Committee on Cities and Towns.

Senator Macy introduced Senate Bill No. 214, entitled :

An act to amend section 203 of an act entitled an act concerning proceedings in criminal cases. Approved April 19, 1881.

Read the first time and referred to Committee on Judiciary.

Senator Moon introduced Senate Bill No. 215, entitled :

An act to amend sections 37 and 64 of an act entitled an act concerning proceedings in criminal cases. Approved April 19, 1881, being sections 1610 and 1637 of the Revised Statutes of 1881.

Read the first time and referred to Committee on Judiciary.

Senator Overstreet introduced Senate Bill No. 216, entitled :

An act concerning fees of Sheriffs and Clerks of Circuit Courts, repealing all conflicting laws, and declaring an emergency.

Read a first time and referred to the Committee on Fees and Salaries.

Senator Rahm introduced Senate Bill No. 217, entitled :

An act to amend section 187 of an act entitled "An act concerning public offenses and their punishment," approved April 14, 1881, and declaring an emergency.

Read the first time, and referred to the Committee on Temperance.

Senator Richardson introduced Senate Bill No. 218, entitled :

A bill for an act fixing certain fees to be taxed in the offices and the salaries of officers therein named, and providing for certain employes in certain public offices and fixing their compensation, providing for the disposition of certain moneys, and repealing all conflicting laws."

Read a first time, and referred to the Committee on Fees and Salaries.

Senator Schloss introduced Senate Bill No. 219, entitled :

An act to amend section 20 (Revised Statutes 4698) of an act entitled an act concerning elections and the control thereof, approved April 21, 1881.

Read a first time, and referred to the Committee on Elections.

Senator Thompson introduced Senate Bill No. 220, entitled :

An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an act entitled an act to regulate insanity inquests and the committal of insane persons to hospitals for the insane and their discharge therefrom, approved April 14, 1881, and declaring an emergency.

Read the first time, and referred to the Committee on Judiciary.

Senator Weir introduced Senate Bill No. 221, entitled :

An act to require the payment of certain premiums to the fire departments of cities and incorporated towns by fire insurance companies not organized under the laws of the State of Indiana, but doing business therein.

Read a first time, and referred to the Committee on Cities and Towns.

Senator Willard introduced Senate Bill No. 222, entitled :

A bill for an act to amend section 87 of an act entitled an act concerning taxation, approved March 29, 1881, and declaring an emergency.

Read the first time and referred to Committee on Finance.

Senator Winter introduced Senate Bill No. 223, entitled :

A bill for an act to regulate the practice of medicine, surgery and obstetrics, providing for a State Board of Medical Examiners, and declaring an emergency.

Read the first and referred to Committee on Public Health and Vital Statistics.

Senator Zimmerman introduced Senate Bill No. 224, entitled:

An act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and to apportion the same among the several counties of the State.

Read first time and referred to Committee on Legislative Apportionment.

Senator Duncan, of Hamilton, introduced Senate Bill No. 225, entitled:

A bill concerning the construction and location of school houses.

Read the first time and referred to Committee on Education.

Senator Smith, of Jay, introduced Senate Bill No. 226, entitled:

An act entitled an act to amend section 4 of an act entitled, An act regulating interest and the collection thereof, approved March, 1879.

Read the first time and referred to Committee on Finance.

Senator Day introduced Senate Bill No. 227, entitled:

An act providing for the establishment of the corporate boundaries of the cities of this State.

Read the first time and referred to Committee on Cities and Towns.

Senator Duncan, of Tipton, introduced Senate Bill No. 228, entitled:

A bill concerning County Superintendents.

Read the first time and referred to Committee on Education.

Senator Ensley introduced Senate Bill No. 229, entitled:

An act to prevent and punish parties for the adulteration of articles of food, drink and medicines, and the sale thereof when adulterated.

Read first time and referred to Committee on Public Health and Vital Statistics.

Senator Foulke introduced Senate Bill No. 230, entitled :

An act to enable joint suits to be maintained upon several bonds of public officers.

Read the first time and referred to Committee on Judiciary.

Senator Fowler introduced Senate Bill No. 231, entitled :

An act requiring foreign insurance companies to pay judgments rendered against them in this State, appeal from such judgments or forfeit their right to do business within this State, providing penalties and declaring an emergency.

Read the first time and referred to Committee on Insurance.

Senator Macy introduced Senate Bill No. 232, entitled :

An act to amend an act concerning highways and supervision thereof. Approved May 2, 1883.

Read first time and referred to Committee on Roads.

Senator Schloss introduced Senate Bill No. 233, entitled :

An act to repeal section 269 of an act entitled an act concerning public officers and their punishment, approved April 14, 1881. R. S. (1881) 2185.

Read the first time and referred to Committee on Judiciary.

Senator Willard introduced Senate Bill No. 234, entitled :

A bill for an act to amend sections 94, 95, 138 and 139 of an act entitled an act concerning taxation, approved March 29, 1881, the same being sections 6362, 6363 and 6407 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to Committee on Finance.

Senator Winter introduced Senate Bill No. 235, entitled :

An act amending section 1 of an act entitled an act to amend the 13th and 14th sections of an act providing for the election and qualifications of Justices of the Peace, defining their jurisdiction in civil cases, approved March 9, 1861, being section 1441 Revised Statutes of 1881.

Read the first time and referred to Committee on Judiciary.

Senator Weir introduced Senate Bill No. 236 :

A bill for an act providing that it shall be lawful for any person or persons to hunt on the unenclosed lands within the State of Indiana when not violating the game laws of the State of Indiana, without having obtained permission from the owner or owners thereof, and declaring an emergency.

Referred to Committee on Agriculture.

Senator Zimmerman introduced Senate Bill No. 237, entitled :

An act to amend section 116 of an act entitled an act providing for the settlement and distribution of decedent's estates, approved April 14, 1881, and being section 2341 Revised Statutes.

Read first time and referred to Committee on Judiciary.

Senator Zimmerman asked leave of absence for Senator Peterson until next Tuesday P. M.

Granted.

Senator Fowler introduced Senate Bill No. 238, entitled :

An act to amend an act entitled an act to amend section 28 of an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved March 6, 1865, being section 4501 of Revised Statutes of 1881, approved February 27, 1883.

Read the first time and referred to Committee on Education.

Senator Willard introduced Senate Bill No. 239, entitled :

A bill for an act to amend section 1 of an act entitled "An act to amend section 1 of an act entitled an act to provide compensation to the owners of animals killed or injured by cars, locomotives, or other carriages of any railroad company of this State, and to enforce the collection of judgments rendered on account of the same, and to repeal all laws inconsistent therewith, approved March 4, 1863, approved March 4, 1877, the

same being section 4025 of the Revised Statutes, also to amend 2, 3, 4, 5, 6, 7, 8 of an act entitled an act to provide compensation to the owners of animals killed or injured by cars, locomotives, or other carriages of any railroad company in this State, and to enforce the collection of judgments rendered on account of the same, and to repeal all laws inconsistent therewith," approved March 4, 1863, the same being sections 4026 to 4032 of the Revised Statutes of 1881, prescribing the rules of evidence in certain cases, and repealing all laws in conflict with the provisions of this act.

Read the first time, and referred to the Committee on Agriculture.

Senator Macy introduced Senate Bill No. 240, entitled:

A bill for an act to amend an act entitled an act concerning civil cases, approved April 7, 1881.

Read the first time by sections and referred to the Committee on Judiciary.

Senator Macy introduced Senate Bill No. 241, entitled:

An act supplemental to an act concerning proceedings in civil cases, approved April 7, 1881, and declaring an emergency.

Read the first time and referred to Committee on Judiciary.

Senator Willard introduced Senate Bill No. 242, entitled:

A bill for an act fixing the liability of railroads and other corporations for injuries to their employees.

Read first time by sections and referred to Committee on Federal Relations and Rights and Privileges of the Citizens of the State.

Senator Day introduced Senate Bill No. 243, entitled:

An act to regulate the issuing of orders or warrants upon the treasurers of cities of the State of Indiana.

Read first time and referred to Committee on Cities and Towns.

Senator Fowler introduced Senate Bill No. 244, entitled :

An act to amend section 2 of an act entitled an act to amend an act entitled an act to create a State Normal School, and declaring an emergency, affirmed December 20, 1865, and adding supplemental sections thereto, and providing for certain appropriations, approved March 5, 1873, the same being section 4557 of the Revised Statutes of 1881.

Read first time and referred to Committee on Education.

Senator Bailey introduced Senate Bill No. 245, entitled :

An act creating the office of Prosecuting Attorney in all Criminal Courts of the State, repealing all laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Organization of Courts.

On motion of Senator Hilligass, the Senate adjourned until Monday morning at 10 o'clock.

Adjourned.

• MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

FEBRUARY 2, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. J. Albert Rondthaler, pastor Tabernacle Presbyterian Church.

Journal read in part, and on motion of Senator Willard, the further reading was dispensed with.

Senator Schloss introduced Senate Bill No. 246, entitled :

An act establishing the Criminal Court of Vigo county, providing for the election of a Judge and Criminal Prosecutor

thereof, creating Criminal Prosecutors for certain Criminal Courts and fixing the compensation thereof; and fixing the compensation of Judges of Criminal Courts; declaring vacancies in the offices of Judge and Criminal Prosecutor of said Criminal Court of Vigo county, and declaring an emergency.

Read the first time and referred to the Committee on Organization of Courts.

Senator Johnston asked leave of absence for Senator Zimmerman until 2 o'clock P. M., to-day.

Which was granted.

Senator Benz by consent introduced Senate Bill No. 247, entitled:

A bill for an act to amend section 1 of an act entitled "An act to revive an act approved May 14, 1869, entitled an act authorizing assessment of lands for plank, macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject, approved March 11, 1867, and providing that plank, macadamized, turnpike and gravel road companies incorporated after December 1, 1879, shall not have the benefit of the said act so revived, declaring assessments upon lands for turnpike, plank, macadamized and gravel road purposes in certain cases to be valid and binding, and providing for the collection and application of the same," in force March 7, 1883.

Read the first time, and referred to the Committee on Roads and Highways.

Senator Schloss introduced Senate Bill No. 248, entitled:

An act to amend section 4 of an act entitled "An act regulating the sale of county property," etc.

Read the first time, and referred to the Committee on Judiciary.

Senator Ernest offered Joint Resolution No. 6:

Resolved by the Senate, the House of Representatives concurring,
That the following amendment to the Constitution of the State of Indiana be, and the same is hereby, proposed, to-wit: Amend section 14 of article 5 to read:

Section 14. Every bill which shall have passed the General Assembly shall be presented to the Governor. If he approve, he shall sign it, but if not, he shall return it, with his objections, to the house in which it shall have originated, which house shall enter the objections, at large, upon its journals, and proceed to reconsider the bill. If, after such reconsideration, a majority of all the members elected to that house shall agree to pass the bill, it shall be sent, with the Governor's objections, to the other house, by which it shall likewise be reconsidered, and if approved by a majority of all the members elected to that house, it shall be a law. If any bill shall not be returned by the Governor within three days, Sunday excepted, after it shall have been presented to him, it shall be a law without his signature, unless the general adjournment shall prevent its return, in which case it shall be a law, unless the Governor, within five days after such adjournment, shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the General Assembly at its next session, in like manner as if it had been returned by the Governor. But no bill shall be presented to the Governor within two days next previous to the final adjournment of the General Assembly: *Provided, however,* That the Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriation disapproved shall be void, unless repassed by both houses, as provided herein for the repassage of other bills.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as Amendment No. 1.

Read and referred to the Committee on Judiciary.

Senator Bailey, from the Committee on Labor, made a report on Senate Bill No. 20, with amendments, and recommend that it do pass.

Senator Bailey, from the Committee on Cities and Towns, made a report on Senate Bill No. 4, and recommended that it be indefinitely postponed.

Senator Bailey, from the Committee on Labor, made a report on Senate Bill No. 54, recommending that it do pass.

Senator Bailey, from the Committee on Cities and Towns, made a report on Senate Bill No. 80, recommending that it lie on the table.

Senator Bailey from the Committee on Cities and Towns made report on Senate Bill No. 136, with amendments, recommending that it do pass.

Senator Bailey from the Committee on Labor made report on Senate Bill No. 109, with amendments, recommending that it do pass.

Senator Johnston made report from Committee on Roads on Senate Bill No. 183, recommending that it do lie on the table.

Senator Ernest made report from Committee on Swamp Lands, on Senate Bill No. 40, recommending that it do lie on the table.

Senator Ernest made report from Committee on Swamp Lands, on Senate Bill No. 180, with amendments, recommending that it do pass.

Senator McClure made a report from the Committee on Benevolent Institutions on Senate Bill No. 141, recommending that it do pass.

Senator McClure made a report from the Committee on Benevolent Institutions, on Senate Bill No. 186, recommending that it do lie on the table.

Senator Foulke made a report from the Committee on Cities and Towns, on Senate Bill No. 188, recommending that it do pass.

Ordered not printed.

Senator Hill made a report from the Committee on Agriculture, on Senate Bill No. 3, recommending that it do pass.

Senator Foulke offered the following resolution :

Resolved, That the Doorkeeper procure from the Secretary of State the Brevier Reports of last session and distribute them to members as required by a resolution of the last Senate.

Referred to the Committee on Judiciary.

Senator Huston moved that Senate Bill No. 172 be taken up from the table and referred to Committee on Corporations.

Carried.

Senator Winter (by request) introduced Senate Bill No. 249, entitled :

An act to provide a ballot to be used by voters at any county, State or Presidential election, and to provide for the punishment of any and all violations of this act, and to prescribe the duties of certain officers connected therewith, and to prescribe and punish all counterfeiting the ballot, and to repeal all laws that may conflict with this act.

Read first time and referred to Committee on Elections.

Senator Davis introduced Senate Bill No. 250, entitled :

An act to amend an act entitled an act to amend section 288 of an act entitled an act concerning public offenses and their punishment, the same being section 2204 of the Revised Statutes of 1881, approved March 6, 1883.

Read first time and referred to Committee on Judiciary.

Senator Bailey introduced Joint Resolution No. 7, instructing our Senators in Congress, and requesting our Representatives to use their influence for the more strict enforcement of the national eight hour law, and endeavor to so amend said law as to make eight hours the measure of a day's labor in every industrial employment throughout the United States.

Read first time and referred to Committee on Labor.

Senator Schloss made report from the Committee on Labor on Senate Bill No. 109.

Senator Bailey introduced Concurrent Resolution No. 13, in reference to the employment of convict labor and the appointment of a commission, etc.

Read and referred to the Committee on Labor, etc.

Senator Shively made report from the Committee on Vital Statistics and Public Health on Senate Bill No. 18.

Senator Schloss moved that 500 copies of Senate Bill No. 18 be printed and placed on desks of Senators.

Carried.

Senator Willard moved to take up House bills on first reading.

Carried.

Engrossed House Bill No. 6 was read first time and referred to Committee on Rights and Privileges of Citizens of the State.

Engrossed House Bill No. 7 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 15 was read first time and referred to Committee on Finance.

Engrossed House Bill No. 17 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 20 was read first time and referred to Committee on Fees and Salaries.

Engrossed House Bill No. 35 was read first time and referred to the Committee on the Organization of Courts.

Engrossed House Bill No. 37 was read first time and referred to the Committee on Reformatory Institutions.

Engrossed House Bill No. 32 was read first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 48 was read first time and referred to the Committee on Finance.

Senator Hilligass moved that the Senate do now adjourn.

Carried.

Senate adjourned until 2 P. M.

AFTERNOON SESSION.

FEBRUARY 2, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair.

Senator Magee introduced Senate Bill No. 251, entitled :

An act to amend sections 255, 256 and 257 of an act entitled "An act concerning taxation." Approved March 1, 1883.

Read first time and referred to Committee on Judiciary.

Senator Fowler moved that Concurrent Resolution No. 6 be taken up.

Carried.

Concurrent Resolution was taken up, and on motion the same was adopted.

On motion of Senator Smith, of Jay, Senate Bill No. 179 was taken from the table and referred to Committee on Finance.

Senator Fowler introduced Senate Bill No. 252, entitled :

An act to provide for the recovery of costs in cases appealed to Supreme Court, repealing laws in conflict and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senate Bill No. 175 was read a second time, together with the following majority and minority reports :

MR. PRESIDENT:

Your Committee on Cities, to whom was referred Senate Bill No. 175, introduced by Senator Schloss, report that they have had the same under consideration, and request me to submit the following report :

That in lieu of the words, "sixteen thousand or more inhabitants," shall be substituted the words "twelve thousand or more inhabitants."

And a majority of your said committee recommend that when said bill be so amended it do pass.

Chairman.

MR. PRESIDENT :

The undersigned, a minority of your Committee on Cities, to which was referred Senate Bill No. 175, respectfully report that we recommend that the said bill do lie upon the table.

L. S. NULL.

WM. D. FOULKE.

Senate Bill No. 128 was read a second time, together with the following report :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 128, introduced by Senator Schloss, report that we have had the same under consideration and recommend that said bill be referred to the Committee on Swamp Lands.

McINTOSH,

Chairman.

Referred to Committee on Swamp Lands.

On motion Senate Bill No. 64 was taken up, being unfinished business from Friday last.

Senator Macy offered the following amendment:

MR. PRESIDENT :

I move to amend by striking out the following part of section 5 in lines 4 and 5: "which shall be certified, audited and paid in like manner, as provided by law for the payment of the sheriff for attending upon the Court," and insert instead thereof, the following: "one-half of which in each case shall be taxed to the plaintiff or plaintiffs and one-half to the defendant or defendants in the cause, unless the Court shall for sufficient cause shown tax the same in a different proportion; and the same shall be collected as other costs are collected, and

paid over to said reporter: *Provided*, That neither party shall recover against the other the costs taxed against him for the reporter: *And provided further*, That in no case shall a short-hand reporter be allowed, paid or receive his compensation, or any part thereof, out of the county treasury, unless the county be a party to the action.

J. W. MACY.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Day, Ensley, Huston, Johnston, Lindley, Macy, Marshall, McIntosh, Rahm, Smith of Jay, Smith of Delaware, Willard. Total, 15.

Those voting in the negative were:

Senators Bailey, Brown, Campbell of Hendricks, Davis, Duncan of Brown, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, McClure, McCullough, Null, Overstreet, Richardson, Sellers, Shively, Smith of Jennings, Zimmerman. Total, 20.

So the amendment was lost.

Senator Sellers offered the following amendment to Senate Bill No. 64:

MR. PRESIDENT:

I move to amend Senate Bill No. 64 by inserting in line 6, of section 6, after the word "evidence," the following words: "Together with the caption of the bill of exceptions, and the Judge's certificate thereto attached."

And also, by striking out of line 3, of section 5, the word "seven," and inserting in lieu thereof the word "five."

Adopted.

On motion, Senate Bill No. 64 was ordered engrossed as amended.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 10, in re-

lation to requesting our Representatives and instructing our Senators in Congress to ask for a change in the navigation laws so as to protect lands near the falls of the Ohio, etc.

Also, Senate Resolution No. 2, in relation to the payment of the extra employes of the House and Senate.

Also, House Concurrent Resolution No. 9, in relation to the payment of certain persons for assisting at the inauguration and other expenses connected therewith, and the same are herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

The time having arrived for special order for 3 o'clock, the same being Senate Bill No. 196, together with report of committee.

Senator Fowler offered the following amendments:

MR. PRESIDENT:

I move to amend Senate Bill No. 196 as follows:

1. Strike out all in section 1 after the enacting clause.
2. Strike out the word "temporary" in lines 1 and 4, in section 2.
3. Strike out section 4.

On motion of Senator Magee, Senator Fowler's amendments were laid on the table.

Senator Magee moved to reconsider the vote on amendments of Senator Fowler.

Carried.

Senator Willard moved the previous question.

Seconded.

The question being, Shall the main question be now put?

Carried.

The question being on the motion to concur in the report of the committee.

Carried.

Senator McIntosh made a report from the Committee on County and Township Business on Senate Bill No. 148, with amendments, and recommended that it do pass.

Senate Bill No. 89 was read a second time, together with a report of the committee recommending that the bill do pass.

On motion of Senator Magee, the same was recommitted to the Committee on County and Township Business.

Senate Bill No. 96 was read a second time, together with the following report:

MR. PRESIDENT:

Your Committee on Corporations, to whom has been referred Senate Bill No. 96, for an act authorizing manufacturing corporations to buy and sell certain kinds of goods not of their own manufacture, presented by Senator Winter, have had the same under consideration, and a majority of said committee direct me to report said bill to the Senate with the recommendation that it do pass.

CHAIRMAN.

Senator Smith, of Jay, moved to postpone further consideration of Senate Bill No. 96 until next Thursday.

Carried.

Senate Bill No. 99 was read the second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 99, introduced by Senator Brown, report that we have had the same under consideration, and beg leave to report as follows:

That section 1 be amended by inserting after the word "behavior," in line 13 on the second page of said section, the following: "And such other branches of learning and other languages as the advancement of pupils may require, and the Trustees by and with the advice and consent of the County Superintendent may direct," and recommend that said bill, when so amended, do pass.

DUNCAN, of Brown,

Chairman.

Report concurred in and the bill ordered engrossed.

Senate Bill No. 102 was read a second time, together with the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 102, introduced by Senator Foulke, beg leave to report that we have had the same under consideration, and recommend that the same do pass.

Senator Overstreet offered the following amendment:

Amend section 1 by inserting in line 30, page 2, the word "forty" instead of the word "fifty."

Adopted.

Senate Bill No. 113 was read the second time, together with the following report:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to whom has been referred Senate Bill No. 113, for an act to repeal an act entitled, an act to legalize certain records in the office of County Recorder, etc., have had the same under consideration, and a majority of said committee, direct me to report said bill to the Senate with the recommendation that it do pass.

E. P. RICHARDSON,
Chairman.

Report concurred in and the bill ordered engrossed.

Senate Bill No. 115, was read a second time together with the report of the committee.

Senator Null moved, that the constitutional rules be suspended and the bill be considered engrossed, and put upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Howard, Huston, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCul-

lough; McIntosh, Null, Overstreet, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter and Zimmerman. Total, 37.

No one voting in the negative.

So the constitutional rules were suspended.

Senate Bill No. 115, was read a third time and put upon its passage.

The roll was called which resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Huston, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, Null, Overstreet, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter and Zimmerman. Total, 39.

No one voting in the negative.

So the bill passed.

Senator Sellers offered the following amendment to Senate Bill No. 115:

MR. PRESIDENT:

I move to amend the title to Senate Bill No. 115 by inserting the words "in pursuance" preceding the word "thereof" in the last sentence thereof.

Adopted.

The title, as amended, was then adopted.

Senate Bill No. 117 was read the second time, together with the report of the committee.

Senator Foulke moved that the consideration of Senate Bill No. 117 be postponed until next Thursday.

Carried.

Senators Duncan and Willard asked leave of absence for the Committee on Education and Finance until next Wednesday morning.

Granted.

Senator Foulke introduced Senate Bill No. 253, entitled :

An act authorizing universities and colleges to acquire, hold and dispose of real estate.

Read the first time and referred to the Committee on Education.

On motion of Senator Magee, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

FEBRUARY 3, 1885.

Senate met in regular session, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Wm. A. Alexander, of the Ninth Presbyterian Church of Indianapolis.

Journal read in part, and, on motion of Senator Duncan, of Brown, the further reading was dispensed with.

Senator Willard made a report from the Committee on Finance on House Bill No. 3.

On motion the same was made a special order for Wednesday next.

Senator Shively made a report from the Committee on Executive Appointments in regard to the appointment of a Trustee of the Indiana State Normal.

Concurred in.

The President presented a memorial from Indianapolis ministers.

Referred to the Committee on Rights and Privileges.

Senator McIntosh made a report from the Committee on County and Township Business on Senate Bill No. 89, with amendments, recommending that the bill do pass.

On motion Senate Bill No. 89 was made a special order for Thursday morning.

Senator Hoover introduced Senate Bill No. 254, entitled :

An act for the encouragement of lifetime convicts confined in the State Prisons of Indiana and the Indiana Reformatory for Women and Girls, and providing that twenty-five years shall constitute a lifetime sentence in the State Prisons of Indiana or the Indiana Reformatory for Women and Girls, and declaring an emergency.

Read a first time, and referred to the Committee on Prisons.

Senator Hoover introduced Senate Bill No. 255, entitled :

An act to amend section 4 of an act concerning the behavior and time of convicts in State Prisons and the Indiana Reformatory for Women and Girls, approved March 8, 1883.

Read a first time, and referred to the Committee on Prisons.

Senator Johnson offered Joint Resolution No. 7, entitled :

A Joint Resolution proposing an amendment to the Constitution of the State of Indiana, by inserting article 17, forbidding the hiring out of the labor of the convicts of the penitentiaries and inmates of the reformatory institutions of the State, and providing for regulating the employment of said convicts and inmates.

Read a first time, and referred to the Committee on Labor.

Senator Johnson offered a petition.

Which was referred to the Committee on Agriculture.

Senator Winter offered a memorial from the Board of Aldermen of the city of Indianapolis.

Read and referred to Committee on Benevolent Institutions.

Senator Duncan, of Brown, from Committee on Elections, made report on Senate Bill No. 4, recommending that it be referred to Committee on Judiciary.

Senator Duncan, of Brown, from Committee on Education, made report on Senate Bill No. 8 with amendments, recommending that the same do pass.

Senator McIntosh, from Committee on County and Township Business, made report on Senate Bill No. 64, recommending that the same do pass.

Senator Fowler offered a petition on medical legislation.

Which was read and referred to Committee on Public Health.

Senator McIntosh, from the Committee on County and Township Business, made report on Senate Bill No. 209.

Which was ordered printed.

Senator McClure, from the Committee on Benevolent and Reformatory Institutions, made a report on Senate Bill No. 37, recommending that the same do pass.

Senator Johnston, from the Committee on Finance, made a report on Senate Bill No. 15, recommending that the same do pass.

On motion of Senator Willard, House Bill No. 15 was made a special order for to-morrow at 8 o'clock p. m.

Senator Overstreet, from the Committee on Finance, made a report on Senate Bill No. 70, recommending that the same do pass.

Senator Willard presented the following report:

MR. PRESIDENT:

The undersigned, a portion of the Committee on Education, would respectfully report that they have had made consideration the same back to the Senate, with the recommendation Senate Bill, No. 8, introduced by Senator Brown, and report that the same do lie on the table.

JAMES H. WILLARD.

CHAS. C. DUNCAN.

PHILIP SCHLOSS.

Senator Willard moved that the majority and minority report together with the bill be printed.

Carried.

Senator McCullough asked leave of absence for Senator Bailey for to-day.

Granted.

Senator Overstreet asked leave of absence for to-day for Senator Hilligass.

Granted.

The special orders for 11 o'clock to-day was taken up, the same being the consideration of Senate Bill No. 14.

Senator Sellers moved that Senate Bill No. 14 be referred back to the Judiciary Committee.

Carried.

Senator McIntosh, from the Committee on County and Township Business, made report on Senate Bill No. 199, recommending that the same do pass.

Senator McIntosh, from the Committee on County and Township Business, made a majority and minority report on Senate Bill No. 29. On motion of Senator McIntosh the same was made a special order for next Friday, at 11 o'clock A. M.

Senator Ensley, from the Committee on Public Health, made report on Senate Bill No. 110, which was adopted.

Senator Fowler, from the Committee on Finance, made report on Senate Bill No. 188, recommending that the same lay on the table.

Senator Howard made report from Committee on Military Affairs on Senate Bill No. 88, with amendments, and recommend that it do pass.

Carried.

Senator Null made report from Committee on Corporations on Senate Bill No. 34, with amendments, recommending that it do pass.

Concurred in.

Senator Null presented a petition, which was referred to Committee on Education.

Senator Brown introduced Senate Bill No. 256, entitled :

An act to establish State and County Boards of Finance, prescribing their duty and that of others connected therewith.

Read first time and referred to Committee on Finance.

Senator Smith, of Jennings county, introduced Senate Bill No. 257, entitled :

An act concerning contracts made by order of the Common Councils of cities, for the grading and improvement of streets and alleys, etc.

Read the first time and referred to Committee on Cities and Towns.

Senator Campbell, of St. Joseph, was called to the chair.

Senator Sellers, from the Committee on Public Health, made a report on Senate Bill No. 162, recommending that the same do pass.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 58, recommending that the same do pass.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 150, recommending that the same lay on the table.

Concurred in.

Senator Weir moved that House Concurrent Resolution No. 9 be taken up, the same being in regard to expenses of inauguration.

Carried.

The same was taken up, and on motion was adopted.

Senator Duncan, of Brown, presented a report from the Committee on Elections, on Senate Bill No. 45, with amendments, recommending that the bill do pass.

On motion of Senator Sellers, Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 3, 1885.

Senate met pursuant to adjournment, Lieutenant-Governor Manson in the chair.

The President announced that he had received a communication from two citizens of Indianapolis, and asked leave to refer it to the Committee on Benevolent Institutions, without reading.

Granted.

Senator Campbell, of St. Joseph, offered a petition from the citizens of his county, which was referred to the Committee on Education, without reading.

Senator Weir presented a petition and letters from citizens of his county, which were referred to the Committee on Public Health, without reading.

Senator Moon presented a petition from the citizens of his county, which was referred to the Committee on Education without reading.

Senator Weir presented a petition from the citizens of his county, which was referred to the Committee on Temperance without reading.

Senator Bryant presented a petition from the citizens of his county, which was referred to the Committee on Education without reading.

Senator Shively presented a petition from the citizens of his county, which was referred to the Committee on Education without reading.

Senator Duncan, of Brown, presented a petition from the citizens of his county, which was referred to the Committee on Education without reading.

Senator Smith, of Delaware, presented a petition from citizens in his county, which was referred to the Committee on Public Health and Vital Statistics.

Senator Weir introduced Senate Bill No. 258, entitled :

A bill for an act to authorize the Governor to issue a patent to Frank Coffeen for certain Michigan road lands in Laporte county.

Read first time and referred to the Committee on Judiciary.

Senator Winter introduced Senate Bill No. 259, entitled :

An act regulating foreign surety companies doing business in this State, prescribing the duties of the agents thereof, and of the Auditor of State in connection therewith, providing penalties for the violation of this act, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Winter introduced Senate Bill No. 260, entitled :

An act authorizing the acceptance of surety companies as surety upon bonds required by the laws of this State, prescribing the rights and liabilities of such companies as sureties upon such bonds, and declaring an emergency.

Read the first time and referred to Committee on Judiciary.

Senator Peterson introduced Senate Bill No. 261, entitled :

An act to prohibit the hauling of heavy loads on gravel roads with narrow-tread wagons.

Read the first time and referred to Committee on Roads and Highways.

Senator Weir offered the following resolution :

Resolved, That the Secretary of the Senate be instructed to procure, for the use of the Committee on Claims, a record book, not to cost over (\$3.00) three dollars.

Adopted.

Senator McIntosh asked leave of absence for Senator Fowler until to-morrow morning.

Granted.

Senate Bill No. 119 was read a second time, together with report of Committee on Judiciary, with amendments.

On motion, the same was ordered engrossed.

Senate Bill No. 120 was read the second time, together with the report of the committee.

Senator Sellers offered the following amendment to Senate Bill No. 120:

MR. PRESIDENT:

I move that Senate Bill No. 120 be amended by inserting at the beginning of line 12 the words, "section 2."

Which was adopted.

Senator Davis offered the following amendment: After the word "hands" in line 11, insert: "*Provided*, That no such applicant shall be required to pay more than fifty cents in any one year."

Adopted.

Senator Smith, of Jay county, offered the following amendment:

That in no case shall any County Superintendent, or other person in his behalf, charge or receive any admittance fee to any lecture held during the session of such institute.

Adopted.

The bill, as amended, was ordered engrossed.

Senate Bill No. 122 was read the second time, together with the majority and minority reports of the Judiciary Committee, when further discussion of said bill was postponed until some future time.

Senate Bill No. 125 was read the second time, together with the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 125, introduced by Senator Macy, report that we have had the same under advisement, and recommend that said bill do pass.

McINTOSH,

Chairman.

Report concurred in and bill ordered engrossed.

Senate Bill No. 129 was read the second time, together with report of Committee on Judiciary.

Report concurred in and bill ordered engrossed.

Senator McCullough was called to the chair.

Senate Bill No. 132 was read the second time, together with a report of the committee, recommending that the bill do pass.

Report concurred in and bill ordered engrossed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has passed Senate Concurrent Resolution No. 11, in relation to the payment of the expenses of the committee attending the funeral of the late Schuyler Colfax.

DARNELL,
Principal Clerk.

Senate Bill No. 137, was read the second time together with the following report of the committee:

MR. PRESIDENT:

Your Committee on the Judiciary, have had under consideration Senate Bill No. 137, a bill to amend section 22 of an act entitled, an act providing for an organization of Circuit Courts, the election of Judges thereof, and defining their powers and duties, and the committee direct me to report the bill back to the Senate with the recommendation that it do pass.

McCULLOUGH,
Chairman.

Report concurred in.

Senator Davis moved to engross Senate Bill No. 137.

Carried.

Senate Bill No. 139, was read the second time together with the report of the committee.

Senator Smith, of Jay, offered the following amendment:

MR. PRESIDENT:

I move to amend section 4 of the amendment recommended

by the committee to said bill, by inserting after the word "session" in line 4, the words "each term," also, insert after "continue" in line 6 the words "in session each term."

Adopted.

Senator Smith, of Delaware, offered the following amendment:

To amend sections 1, 3 and 6, by striking out the words "forty-six and substituting the words "forty-seven" therefore.

Adopted.

On motion of Senator Smith, of Jay, Senate Bill No. 139, was ordered engrossed.

Senate Bill No. 159, was read a second time together with the following report:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 159, introduced by Senator Zimmerman, have had the same under consideration, and recommend that said bill do pass.

COLUMBUS JOHNSTON,
Chairman.

Report concurred in, and bill ordered engrossed.

Senate Bill No. 174 was read a second time, together with the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Senate Bill No. 174, introduced by Senator Rahm, report that we have had the same under consideration, and recommend that said bill do pass.

W. CLINTON THOMPSON,
Chairman.

Report concurred in.

Senator Campbell of St. Joseph offered the following amendment to Senate Bill No. 174:

MR. PRESIDENT:

I move to amend section 1 of Senate Bill No. 174 as follows: In line 4 of section 1 strike out the word "repealed," and in-

sert therefor "amended to read as follows: Section 1. That lands lying within the limits of any city or incorporated town in this State that are not platted as city or town property, and are not used for other than agricultural purposes, or are wholly unimproved, together with all personal property used for the purpose of farming on such lands, shall not be taxed by such city or town, except for all school purposes and except for the general fund, a rate equal to the rate for road tax in the civil township in which such city or town is located: *Provided, however,* That the provisions of this act shall not apply to parcels of land containing less than five acres, or to parcels of land which are bounded on three sides by lands platted and laid out in town lots."

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 3, 1885.

Gentlemen of the Senate:

Pursuant to the provisions of section 3 of an act of the General Assembly, passed February 23, 1883, Acts of 1883; page 20, I have the honor to appoint Hammit N. Helms, of Sullivan county, a Commissioner of the Board of Control of the Indiana Reform School for Boys, to succeed himself and to serve as such for a term of four years, from the 23d of ———, 1885, and until his successor shall have been appointed and qualified, and I now submit such appointment to the Senate for its approval.

ISAAC P. GRAY,
Governor.

Read and referred to Committee on Executive appointments.

On motion of Senator Smith of Jennings, Senate adjourned.

MAHLON D. MANSON,
President of Senate.

WEDNESDAY MORNING.

FEBRUARY 4, 1885.

Senate met in regular session.

Lieutenant-Governor Manson in the chair.

Opened with prayer by the Rev. Dr. Gray, of Indianapolis.

The journal was read in part, and on motion of Senator Willard, the further reading was dispensed with.

Senate Bill No. 174 was taken up on its second reading, being unfinished business from yesterday.

Senator Campbell, of St. Joseph, offered the following amendment to the title:

MR. PRESIDENT:

I move to amend the title of Senate Bill No. 174 as follows:

In line one strike out the word "repeal," and insert therefor the word "amend."

Adopted.

On motion, the bill as amended was ordered engrossed.

Senator McCullough, from the special committee appointed to investigate the office of the State Treasurer, presented the following majority report from said committee:

MAJORITY REPORT OF COMMITTEE ON TREASURY.

MR. PRESIDENT:

Your special committee, appointed pursuant to concurrent resolution to consider that portion of ex-Governor Porter's message which refers to the State Treasury, and to report by bill or otherwise, what legislation, if any, is necessary with reference to the State Treasury, and also to report whether an investigation by a legislative committee into the affairs of the State Treasury is at this time probably necessary or proper, have had said matters under consideration.

A majority of the committee beg leave to make the following report and recommendations:

On the 29th day of January, A. D. 1885, the committee examined the books in the office of the Auditor of State, and also the assets on hand held by the Treasurer of State.

The Auditor's books show that on the 1st day of November, 1884, the Treasurer was chargeable with a balance on hand of \$431,206.59; that between the 1st day of November, 1884, and the close of business hours on the 28th of January, 1885, he had received the further sum of \$1,420,154.23, making total chargeable \$1,851,260.82; and that from the said 1st day of November, 1884, to said 28th day of January, 1885, said Treasurer had disbursed upon warrants, according to law, \$1,364,479.78; leaving a total balance chargeable against the Treasurer, at the close of business hours January 28, 1885, of \$486,881.04. And thereupon said Treasurer exhibited to the committee, at his office, cash assets in the sum of \$491,869.24. Of the sums so exhibited at that place to the committee, the sum of \$7,600 consisted in National Bank and United States Treasury notes, silver and gold certificates, commonly called paper money, \$150 consisted of silver coin, \$410,049.91 consisted of drafts, checks and certificates of deposit issued by various banks of Indiana, and such as commonly circulate among merchants and the business world in general, in discharge of all obligations, and are convertible into cash at any moment; and the sum of \$74,069.33 of said exhibit consisted in county orders, \$60,000 of which was upon Marion county, Indiana, and \$10,000 of which was upon Hamilton county, Indiana. Which said orders upon Marion and Hamilton counties are as good, or better, than the cash, and the Treasurer has an arrangement by which he can convert the same into cash at any moment that it is desired. The sum of \$4,069.33 of said exhibit consisted in various county orders, which are good, but as to them the committee has no information as to the Treasurer being able to convert them immediately into cash except by supplying their place by cash from his individual funds. And your committee also called upon the various banks of the city, and learned from them that the Treasurer had deposited with them the several amounts represented by the various checks, drafts and certificates of deposit held by him, and the money on special deposit was exhibited to the committee.

Taking into consideration the fact that the State furnishes the Treasurer no safe place in which to keep the money, and that he is compelled to deposit the same in one or more banks for safe keeping, your committee is of the opinion that the manner in which the Treasurer has the money deposited secures to himself, his bondsmen and the State the least possible risk of any great loss that could be secured by any disposition of the same, and it enables the Treasurer of State to pay at any time he may be required by law any or all of the amount with which he is chargeable.

The majority of your committee further report that they discover no reasons whatever why a legislative committee, or any other committee, should be appointed at this time to investigate further into the affairs of the State Treasury.

But if it were desired for any reason to investigate thoroughly or completely the affairs of the State Treasury for the term of office now closing, such an investigation would of necessity involve a detailed examination of the books in the office of the Auditor of State, because in those books the accounts of the Treasurer of State are kept, and such an examination could not be made thorough and complete by any committee in the short period of sixty days, the period of time allowed for the regular session of the Legislature. Hence, if any such investigation were necessary, or should become necessary, it would, in the opinion of a majority of your committee, be better for many reasons that the same should take place under the order and direction of the Governor and Secretary of State, who have now full power to order and direct such investigation under the statutes of this State. And inasmuch as it is claimed by the ex-Governor of this State that the sum of three dollars is not enough to pay an expert for the purpose of investigating, the committee recommend that the statute be so amended as to allow the Governor to pay such expert as much as eight dollars per day, if necessary, to the end that there be no excuse or pretext for not investigating, whenever, in the opinion of the Governor, such investigation is necessary or proper.

As to the legislation necessary: The statute now provides the Treasurer of State shall execute his bond with sufficient sureties, etc., in the penal sum of one hundred and fifty thousand dollars, conditioned for the faithful discharge of his duties, etc. Although that has been the law since 1859, and no loss

has ever come to the State by any defaulting Treasurer, and the majority of the committee know of no probability of any loss, still it is of the opinion that the security of the funds of the State would be enhanced by increasing the penalty of the bond in some reasonable proportion to the amount that comes into and passes through the Treasurer's hands. And it therefore recommends an amendment to the statute increasing the penalty, and returns herewith a bill embracing such amendment, leaving blank the amount of the penalty, that the General Assembly may fill the same with such amount as, in its judgment, seems just and proper.

The statute concerning the keeping and custody of the money of the State was passed in 1859, and contemplates that the State shall furnish to the Treasurer a room, together with such safes and vaults and other proper and necessary means for the security and safe-keeping of the money as shall render the same absolutely secure against fire and burglars. Another section of the same statute provides that the Treasurer shall not deposit the money with any bank, person or persons, and affixes severe penalties for making any such deposit. It is a notorious fact, as shown by ex-Governor Porter's last message, and which will appear upon first sight of the vault and safe in the Treasurer's office, that for years the State has furnished the Treasurer no such vaults or safes, nor any other place in which it would be safe to keep any considerable amount of money. The Treasurer of State, therefore, is and has been, all of said years, compelled to deposit the money in banks, and probably with other parties, notwithstanding the attendant risks and the statute aforesaid.

The Supreme Court of this State has held substantially in the case of county treasurers that they are absolutely insurers of the money with which they are chargeable, and that they are not excusable from paying at the time and in the manner prescribed by law on account of any loss by them from fire, burglars, or other causes, but that they can not be charged with any interest which they may receive from the funds. The present statute with reference to the Treasurer of State undertakes to prohibit the loaning or depositing of any of the money of the State to or with any bank or person, but to compel the Treasurer to account for any interest that he might receive if he should loan the same. The statute does not in terms make the Treasurer of State absolutely responsible for the amount of

money that comes into his hands in case the same should be lost without carelessness or negligence upon his part. It is a fact, as appears from the books of the Auditor of State, that the State has never at any time received any interest from any deposits or loans made by the Treasurer of State. It is, in the opinion of a majority of the committee, in the light of the decisions of the courts of this State, a doubtful question under the present law, and considering the fact that no secure safes and vaults are furnished the Treasurer of State, whether the Treasurer of State could be held to account for any interest that he might receive, and also held absolutely responsible for the payment of the money with which he is chargeable, in case the same should be lost without his fault or negligence; and the majority of the committee therefore recommend that the statute be so amended as not to prohibit the Treasurer from depositing the money in banks, and so as to hold the Treasurer absolutely responsible for the payment, according to law, of the amount of money which he receives or is chargeable with, no matter whether he may have lost any part of it or not; and that his bondsmen shall be absolutely liable in the same manner to the extent of the penalty of their bond; and the committee embrace such amendment in the bill herewith returned.

Respectfully submitted,

JAS. E. McCULLOUGH,
W. J. HILLIGASS,
A. G. SMITH,
J. R. PATTEN, Chairman.
H. D. McMULLEN,
DAVID S. GOODING.

Senator McCullough, from the special committee on the investigation of State Treasurer Cooper, introduced Senate Bill No. 262, entitled :

An act to amend sections 4, 5 and 13, of an act entitled "An act to provide a treasury system for the State of Indiana, for the manner of receiving, holding and disbursing the public moneys of the State, and for the safe keeping of public moneys." Approved March 1, 1859.

Read the first time and referred to the Committee on

Senator Foulke, from the special committee appointed to investigate the office of the State Treasurer, presented the following minority report from said committee :-

MINORITY REPORT OF COMMITTEE ON TREASURY.

MR. PRESIDENT :

A minority of your committee appointed to inquire into the matters contained in the message of Governor Porter regarding the State Treasury, respectfully report: That at the first meeting of your committee, January 28th, Mr. Cooper, Treasurer of State, was present, at the invitation of one or more members of the majority of your committee, and stated that he would admit, for the purpose of this inquiry, *that all the facts stated in Governor Porter's message in regard to the State Treasury were true*; that at the second meeting (January 29th) Governor Porter was requested by the minority to be present, and was in the Bates House, which fact was stated to the committee, and a motion made that he be requested to state what knowledge he had of the matters relating to the Treasury contained in his message; that objection was made by the member from Dearborn (one of the majority), who stated that if authority was given to send for persons and papers he would favor such examination, but that unless that was done he was opposed to it. An amendment was then offered by the Senator from Wayne (one of the minority) that the respective Houses of the General Assembly be requested to confer such authority. This was opposed by the member from Hancock and the Senator from Huntington (two of the majority) on the ground that this committee had no authority to hear evidence, nor any man's statement, and the motion and amendment were both laid upon the table by vote of the majority of your committee. The majority then determined that your committee should inspect the money and vouchers on hand in the Treasury, and should confine their inquiries to such inspection, your minority insisting that inquiry should also be made as to the ownership of such money and vouchers, when and from what source derived, what loans had been made by the Treasurer, whether any interest had been received by him, and if so, whether it had been credited to the State. This was then voted down by the ma-

jority, but by unanimous consent was subsequently reserved for future determination—after the money and vouchers should be inspected.

Your committee then called upon the Auditor of State and learned from him that the amount chargeable to the Treasurer on January 28th was \$186,881.04.

Your committee then proceeded to the Treasurer's office, and it was moved that we proceed to examine the moneys and accounts. The Representative from Wabash (one of the minority) moved, as amendment, that we first inquire of the Treasurer how the business of the Treasury had been carried on, but the chairman (one of the majority) ruled the motion out of order, upon the objection of another member of the majority.

The Treasurer then stated that it was his habit to violate the law which required him to receive and pay all sums in currency; that most of the business of the office was, in fact, done by check, since the vault was not considered safe.

The assets shown by the Treasurer were as follows:

1. Draft on Maverick National Bank, Boston, by First National Bank, Indianapolis, January 28, 1885, to be used by St. Joseph county. Warrant expected to be drawn..... \$10,000 00
2. Package, special deposit, First National Bank, said to contain (January 27, 1885)..... 62,000 00
3. Six certificates of deposit, \$10,000 each, by First National Bank (indorsed in blank), December 30, 1884..... 60,000 00
4. Special deposit for safe keeping, Merchant's National Bank, January 2, 1885..... 50,000 00
5. Special deposit for safe keeping, Meridian National Bank, Jan. 12, 1885 60,000 00
6. Four certificates of deposit at Meridian National Bank, Dec. 31, 1884..... 12,000 00
13,000 00
20,000 00
25,000 00

7. Receipt of Albert G. Porter, June 28, 1881, for loan to pay expenses of Supreme Court, to be repaid by subsequent ap- propriation.....	\$1,000 00
8. Five certificates of deposit, Merchant's Na- tional Bank, Nov. 16, 1884.....	5,000 00
(One for \$5,000, four for \$10,000).....	40,000 00
And one, Dec. 31, 1884.....	7,792 64
Deposited by John Frenzel and also indorsed by him.	
9. Two cashier's checks (\$10,000 each), Me- ridian National Bank, Jan. 27, 1885 ...	20,000 00
10. Certificate of deposit, Meridian National Bank, Jan. 28, 1885.....	4,000 00
11. Certificate of deposit, Merchant's National Bank, Dec. 31, 1884.....	6,000 00
12. Check on Bank of Noblesville, signed by Treasurer of county	257 27
13. Order issued by Auditor Hamilton county, by order of the Commissioners, taken as money, bearing 8 per cent. interest, Dec. 22, 1884	10,000 00
14. A number of county orders, amounting in the aggregate to.....	4,069 33
15. Marion county orders, June 1, 1884, paya- ble Jan. 1, 1885, with 6 per cent. inter- est	40,000 00
	20,000 00
16. Draft of First National Bank on First Na- tional Bank of Cincinnati, Jan. 28, 1885... ..	2,000 00
17. Auditor's warrants drawn, Jan. 29, 1885...	173 70
18. Money on hand	7,700 00
19. Advances to officers before the expiration of the three months within which the amount would be payable—about.....	12,000 00

\$491,992 94

After such examination, the member from Wabash (one of your minority) asked permission to ask the Treasurer some questions, which was granted, and the member then propounded to the Treasurer the following :

Q.—“What is the method in general in taking care of the State's money, and what has been your method?” He answered :

A.—“My method has been to keep it in bank on special or ordinary deposit, as you have seen.”

Q.—“Is the State's money deposited elsewhere, and if so, upon what understanding as to interest, gratuity or benefit?” This question being objected to, the majority of the committee voted that it be excluded, and it was not asked.

The member asked the following :

Q.—“Have you received for the State's money any interest, bonus or gratuity, and if so, have you carried it to the credit of the State?” This was also objected to, and the question was excluded by a majority of the committee.

The member then asked the following :

Q.—“In what banks, if any, of the State of Indiana, have you deposited any of the funds of the State?” Also objected to, and objection sustained by a majority of the committee.

He then asked :

Q.—“In what banks, if any, without the State of Indiana have you deposited any of the funds of the State?” Which was objected to in like manner.

He then asked : “Have you invested any of the State's funds in United States bonds, and, if you have received interest on such bonds, have you carried it to the credit of the State?” Which was objected to in like manner.

He then stated he desired to ask further questions, and it was moved that no further questions be asked, but, pending such motion, a motion was made and carried that we adjourn till 4:30 P. M.

Shortly after 4:30 P. M. the committee again met, and a sub-committee of three was appointed to count the money on special deposit in the banks, after which the member from Dearborn (a member of the majority) immediately moved that the committee adjourn till Tuesday evening. Your minority

asked the reasons for such adjournment, but the only reason given was that the member from Hancock desired to attend a caucus at 7:30 (it being then 5 P. M.) Your minority requested a ruling as to whether any further questions might be asked of the Treasurer (who was in attendance), and for leave to read the questions proposed, but were informed that a motion to adjourn was not debatable, and such motion was immediately put and carried, and your minority thereupon left the room, leaving the majority in consultation with the Treasurer as to whose conduct your committee was to inquire.

That among the remaining questions which your minority proposed to ask and desired to read to the committee, were the following:

7. "Have you deposited any of the State's money in any bank in the name of any other person than yourself, and taken an assignment of the certificate of deposit to yourself, or in blank?"

8. "When did you provide yourself with the money, bonds or evidences of credit that you now exhibit to the committee?"

9. "With whose funds did you procure the drafts you have shown the committee?"

10. "Whose money is the \$62,000 deposited January 27, 1885, in the First National Bank, Indianapolis, and from what source was it derived?"

11. "Are you indebted to the First National Bank in any sum directly or indirectly, which can or may become a set-off against the certificates you have shown the committee?"

12. "Do the certificates of deposit you have shown the committee bear their true dates?"

13. "How did you obtain the two cashier's checks for \$10,000 each on the Meridian National Bank?"

14. "Did you have any of the State's money in Fletcher & Sharpe's Bank, or Harrison's Bank, or any other bank that has failed, and have you or the State suffered any loss because of such failure?"

That at the meeting of the committee of February 3, 1885, immediately upon the convening of the committee, the final report of the committee was read by the chairman, who stated that the majority had already held a caucus thereon and was

adopted by the majority of the committee, before any report had been made to the committee by the sub-committee appointed to examine the special deposits in the various banks, and no report was at any time made by such sub-committee, and that said special deposits were at no time counted by said committee.

No inquiry was made as the solvency of any of the banks by which certificates of deposit and checks were given.

From the above facts we arrive with regret at the conclusion that the majority of the committee were unwilling to permit any inquiry whatever as to the real condition of the Treasury, and the ownership of the money and vouchers shown.

We believe a full investigation could have been made by the committee in a time very little exceeding that which the majority have used in their efforts to prevent such investigation.

We further call the attention of the General Assembly to some remarkable facts which appear upon the face of the assets shown, but as to which we were not permitted by the majority to make any inquiries whatever :

Of the assets shown to the committee, \$96,000 was deposited by the Treasurer *within two days prior to the examination*, as shown by the dates given.

Forty-five thousand dollars were deposited in the Merchants' National Bank, whose president and cashier were on the Treasurer's bond, on November 16, 1884, said day being Sunday, from which your minority conclude that said date is erroneous, and possibly made for the purpose of deceiving your committee and this General Assembly;

That in a number of the vouchers purporting to be several months old, shown to the committee, the ink appeared to be fresh, and the vouchers to have been recently made, and your minority was not permitted to ask whether or not said vouchers bore their true dates;

That \$74,069.23 of said assets consisted of county orders, as to the validity of which this committee had no means of determining, all except \$10,000 being long past due and unpaid. As to \$4,069.23 of these, the Treasurer said he would willingly remit the interest if he could get the principal, and you minority believe that a large amount of said orders are a doubtful security ;

That your minority are informed and believe that \$10,000 of the above, being the order on Hamilton county, was sold by the treasurer of said county to the First National Bank of Indianapolis shortly after it was issued, and was delivered to said Cooper by said bank for some purpose unknown to your minority;

That said order is not due till June 22, 1885, and is not available as cash assets;

That as to \$12,000 we have nothing but the statement of the Treasurer that about that amount had been advanced to divers persons in the employ of the State, nothing having been shown to us;

That the certificates of deposit shown to your committee were in each case made to the cashiers of their respective banks as payee, and indorsed by them in blank, and that there was no fact to indicate that the Treasurer is the owner of them, except his mere possession;

That as to the deposit of \$50,000 in the Merchants' National Bank, the indorsement upon the package (as examined by the member of the minority upon the sub-committee to examine said deposit) the ink was fresh and the package appeared to have been recently marked;

That as to the \$60,000 deposited in the Meridian National Bank, your minority was informed that the same was recently borrowed from said bank by one Franklin Landers and others, and was not the property of said Treasurer at the time it was examined, and such information was reported to said committee, but said committee neither made nor ordered any investigation or inquiry in respect to said information;

That your minority learned that \$13,000 of the funds of the Treasurer were deposited and lost in Fletcher & Sharpe's Bank, and \$29,000 in Harrison's Bank, which information was stated to the committee, but no inquiry was directed or permitted by the majority in regard thereto;

That the whole amount of cash exhibited to the committee was only \$7,700, and all other securities and vouchers taken as above, were taken by the Treasurer in violation of law.

We regard the present condition of the State Treasury as extremely critical, and it is our belief that there is a large deficiency therein, although we are unable to state with certainty

the precise amount, owing to the refusal of the majority to permit us to make any inquiries. We have grave fears, however, that it exceeds the entire penalty of the Treasurer's official bond.

It is our clear conviction that an immediate and thorough investigation is imperatively demanded, and we earnestly request the respective Houses of the General Assembly to have it instituted without delay. This we do irrespective of all partisan considerations, and with the sole desire to promote the best interests of the State.

W. D. FOULKE,
J. H. LINDLEY,
HIRAM BROWNLEE,
WARREN G. SAYRE.

On motion of Senator McCullough, the further consideration of these reports was postponed until this afternoon.

Senator Duncan, of Brown, presented the following :

MR. PRESIDENT :

On behalf of the Faculty and Trustees of the Indiana University, I desire to extend an invitation to the Committees on Education and Finance, and to other Senators, to visit the University at Bloomington, on next Tuesday, February 10, 1885.

W. C. DUNCAN,
JAMES H. WILLARD,
FRANCIS JOHNSON.

Senator Faulkner, from the Committee on Federal Relations, made a report on Senate Bill No. 165, recommending that the same do lay on the table.

Senator Faulkner, from the Committee on Federal Relations, made report on Senate Bill No. 103, recommended that the same be indefinitely postponed.

Senator Faulkner, from the Committee on Federal Relations, made a report on Senate Bill No. 27, recommending that the same be indefinitely postponed.

Senator Faulkner, from the Committee on Federal Relations, made a report on Senate Bill No. 45, with amendments, recommending that the same do pass.

Senator Faulkner, from the Committee on Federal Relations, presented a report on Resolution No. 4, reporting favorably on same.

On motion the same was postponed for the present, to allow the minority of said committee to make a report.

The Committee on Federal Relations, etc., reported favorably on Concurrent Resolution No. 5.

Senator Faulkner, from the Committee on Prisons, made a report on Senate Bill No. 255, recommending that the bill do pass.

The hour having arrived for the special order set for this morning, being the consideration of House Bill No. 3, the same was taken up.

Senator Smith, of Jennings, offered the following amendment to Engrossed House Bill No. 3:

I move to amend by striking out "one million" and inserting in lieu thereof "five hundred thousand." Also, by striking out "twenty" and inserting "twelve."

By consent, Senator Smith, of Jennings, withdrew that part of his amendment that referred to the number of signers required to the Treasurer's bond.

The ayes and noes being demanded by Senators Willard and Foulke, and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Day, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Hoover, Howard, Johnson, Johnston, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter and Zimmerman. Total, 30.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Davis, Duncan of Tipton, Ensley, Foulke, Huston, Macy, Marshall, Moon, Overstreet, Sellers, Shively, Smith of Delaware, and Willard. Total, 15.

So the amendment was adopted.

On motion of Senator Magee the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 4, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair.

Senator Schloss introduced the following Concurrent Resolution No. 14 :

Resolved by the Senate, the House of Representatives concurring, That the Senate and House of Representatives convene in the hall of the House on Friday, February 6, at 10:30 o'clock A. M., and proceed at once to elect a State Librarian, a Chief of the Indiana Bureau of Statistics, one Director for the State Prison North, one Director for the State Prison South, one Trustee for the Hospital for the Insane, one Trustee for the Institution for the Deaf and Dumb, and one Trustee for the Institution for the Education of the Blind.

Senator Willard moved to amend by inserting Monday, 2 P. M., in place of Friday at 10:30 A. M.

Adopted.

On motion the resolution as amended was then adopted.

Senator Willard moved that the constitutional rules be suspended, and that Engrossed House Bill No. 3 be read the third time and placed upon its passage.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Macy, Magee, Marshall, Moon, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Randolph, and Willard. Total, 33.

Those voting in the negative were:

Senators Bailey, Benz, Ernest, McClure, McCullough, McIntosh, Smith of Jennings, Thompson, Weir, Zimmerman. Total, 10.

So the constitutional rule was not suspended.

Senator Willard moved to make Engrossed House Bill No. 3 a special order for Thursday at 10 o'clock A. M.

Carried.

Senator Foulke was called to the chair.

Senator Willard moved that the reports of the special committee on investigating the State Treasurer be received and 100 copies be printed.

Senator Campbell, of Hendricks, moved to amend by having 500 copies printed.

Senator Magee moved that the question be divided.

Carried.

Senator Magee moved that Senator Campbell's amendment do lie on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senator Bailey, Benz, Brown, Day, Duncan of Brown, Ernest, Hill, Hilligass, Hoover, Howard, Johnson, Johnston, Magee, McClure, McIntosh, Null, Overstreet, Peterson, Schloss, Sellers, Shively, Smith of Jay, Weir, and Zimmerman. Total, 26.

Those voting in the negative were:

Senator Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, McCullough, Rahm, Smith of Jennings, Smith of Delaware, Willard, and Winter. Total, 17.

So the motion carried.

Senator McIntosh moved that seventy-five (75) copies of the reports be printed.

Carried.

Senator Magee moved Senate Bill No. 196 be taken up and read a third time.

Carried.

Senator Huston asked leave of absence for Senator Macy, and Johnston for an indefinite period.

Granted.

Senator Weir moved that Senate Bill No. 47, be made a special order for 2 o'clock to-morrow.

Carried.

Bills on third reading:

Senate Bill No. 196 was read a third time, and placed upon its passage.

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Duncan of Tipton, Duncan of Brown, Ernest, Faulkner, Foulke, Hilligass, Hoover, Howard, Johnson, Lindley, Magee, Marshall, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Randolph, Weir, Willard, Winter, and Zimmerman. Total, 32.

Those voting in the negative were:

Senators Campbell of Hendricks, Ensley, Huston, Johnston, Moon, McClure, McIntosh, Null, Richardson. Total, 9.

So the bill passed.

The title as read was adopted.

Senate Bill No. 189 was read a second time, together with the following report:

MR. PRESIDENT:

Your Committee on Railroads, to whom was referred Senate Bill No. 189, introduced by Senator Thompson, report that we had the same under consideration, and recommend that said bill do pass.

MAGEE,
Chairman.

Senator Overstreet offered the following amendment:

Amend section 10 by striking out the words "one-half," in line 14, and inserting in lieu thereof the words "four-fifths."

Not adopted.

Senator Overstreet offered the following amendment:

Amend section 10 by inserting after the word "vacated," in line 15, the following: "Other than such real estate as may be owned or contracted for by such union railway company, or any one of such proprietary companies."

Not adopted.

Senator Winter offered the following amendment to section 12:

Any general officer of either of the proprietary companies shall be eligible as President. The Vice President, Secretary and Treasurer need not necessarily be an officer of one of said proprietary companies.

Adopted.

Senate Bill No. 189, as amended, was ordered engrossed.

Senator Johnson made report from Committee on Education on Senate Bill No. 89, recommending that said bill do pass.

Senator Thompson moved that the Civil Rights Bill be printed.

Carried.

Senator Marshall offered the claim of Judge Davis.

Which was referred to the Committee on Claims.

Senator Marshall introduced Senate Bill No. 263, entitled:

An act to amend section 32 of an act concerning public offenses and their punishment, approved April 14, 1881, being section 1983 of the Revised Statutes of 1881.

Read the first time and referred to Committee on Judiciary.

Senator Campbell, of St. Joseph, presented the following report from the Committee on Prisons:

MR. PRESIDENT:

Your Committee on Prisons, to whom was referred Senate Bills Nos. 55, 164 and 254, recommend that one hundred copies of each be printed, and ask permission to delay a report upon the merits of said bills until the committee shall have returned from its visit to the prison.

FRED HOOVER,
Chairman.

The time having arrived, the special order for 3 o'clock was taken up, the same being the consideration of Engrossed House Bill No. 15.

Engrossed House Bill No. 115 was read a second time, together with the report of the committee recommending that the bill do pass.

Senator Adkinson presented a petition, which was referred to the Committee on Education.

Senator Campbell, of Hendricks, presented a petition, which was referred to the Committee on Education.

Senator Schloss presented a petition, which was referred to the Committee on Education.

Senator Campbell, of St. Joseph, submitted a report from the Committee on Roads, on Senate Bill No. 247, recommending that the same do lie on the table.

Senator Duncan, of Hamilton, presented a petition which was referred to Committee on Education, without reading.

Senator Overstreet presented a petition which was referred to Committee on Education, without reading.

Senator Winter presented the following minority report on Concurrent Resolution No. 4:

MR. PRESIDENT:

Your Committee on Federal Relations and Rights and Privileges of the Inhabitants of the State, to whom was referred Senate Resolution No. 4, relating to the recent letter of President-elect Cleveland, on the subject of appointments to and removal from the Civil Service, having had said resolution under consideration, and a majority of the committee having reported that only so much of the resolution as expresses approval of that part of the letter in which the President-elect pledges himself to the enforcement of the present Civil Service Law, should be adopted, the undersigned, a minority of said committee, report that in their opinion, the other parts of said letter in which the President-elect declares himself in favor of an extension of the principle of Civil Service reform to other officers not embraced in the present law, and opposed to making appointments to office solely in consideration of party services, or to removing faithful public servants for no other reason than that their political beliefs are not in harmony with those of the dominant party, are equally deserving of the approval of the Senate, and they therefore recommend that the original resolution be adopted as an entirety.

F. WINTER,
J. N. HUSTON,
NICHOLAS ENSLEY.

Senator Peterson presented a petition, which was referred to the Committee on Temperance without reading.

On motion of Senator Sellers the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

FEBRUARY 5, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. J. Albert Rondthaler, of Tabernacle Presbyterian Church, of Indianapolis.

Journal read in part, and on motion of Senator Campbell, of St. Joseph, the further reading was dispensed with.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 356 for an act for the appropriation of money for the purpose of maintaining the exhibit of this State at the New Orleans Exposition, and the same is herewith transmitted to the Senate for its action thereon.

DARNELL,
Principal Clerk.

Senator Foulke moved that it is the sense of the Senate the regular order of business is the reading of petitions, resolutions, etc., etc.

Carried.

The hour having arrived for the special order set for this morning, the same being the consideration of Engrossed House Bill No. 3.

Engrossed House Bill No. 3 was read the third time with amendments.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Dun-

can of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 45.

None voting in the negative.

So the bill passed.

The title of the bill as read, was adopted.

Senator Faulkner asked leave of absence for the Senate Prison Committee until next Monday.

Granted.

Senator Foulke moved that House Bill No. 356 be taken up and that the constitutional rules be suspended and read a first time by sections; a second time by title, and a third time by sections, and placed upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Magee, Marshall, May, Moon, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche. Total, 36.

Those voting in the negative were:

Senators Brown, Day, Duncan of Tipton, Ernest, Faulkner, McClure, McIntosh, Overstreet, Zimmerman. Total, 9.

So the constitutional rule was suspended.

House Bill No. 356 was taken up and read a first time by sections, a second time by title and a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were ;

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncøn of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche. Total, 41.

Those voting in the negative were :

Senators Brown, Duncan of Tipton, McIntosh, Zimmerman. Total, 4.

So the bill passed.

The title of the bill as read was adopted.

Senate Bill No. 89 was taken up as a special order.

Senator Huston moved that Senate Bill No. 89, be made a special order for next Thursday, at 2 P. M.

Carried.

Senator Hilligass presented a petition from the citizens of his county, which was referred to the Committee on Education, without reading.

Senator Johnson presented a petition from the citizens of his county, which was referred to the Committee on Education, without reading.

Senator Drake presented two (2) petitions from the citizens of his county, which were referred to the Committee on Education, without reading.

Senator Bailey presented two (2) petitions from the citizens of his county, which were referred to the Committee on Education, without reading.

Senator Adkinson presented a petition from the citizens of his county, which was referred to the Committee on Education, without reading.

Senator Peterson presented a petition from the citizens of his county, which was referred to the Committee on Education, without reading.

Senator Hoover presented a petition from the citizens of his county, which was referred to the Committee on Education, without reading.

Senator Duncan of Tipton presented a petition from the citizens of his county, which was referred to the Committee on Education, without reading.

Senator Winter presented a remonstrance from the citizens of his county.

Which was referred to the Committee on Cities and Towns, without reading.

Senator Thompson presented a petition.

Which was referred to the Committee on Education, without reading.

Senator Hoover presented a petition.

Which was referred to Committee on Military Affairs, without reading.

Senator May presented a petition on Coroner's fees.

Which was referred to Committee on Fees and Salaries.

Senator May also presented a petition.

Which was referred to Committee on Organization of Courts, without reading.

Senator Drake presented a petition.

Which was referred to Committee on Rights and Privileges, without reading.

Senator McCullough, from the Committee on Judiciary, submitted reports on the following Senate Bills: No. 4, No. 127, No. 135, No. 170, No. 182, No. 185, No. 237.

Senator Duncan, of Brown, made report from Committee on Elections on Senate Bill No. 156, recommending that it do lie on the table.

On motion Senate Bill No. 185 was made the special order for next Thursday at 2 o'clock P. M.

Senator Smith, of Jay, from the Committee on Organization of Court, submitted report on Senate Bill No. 36, and recommended that it be indefinitely postponed.

Senator Johnson, from the Committee on Education, reported on Senate Bill No. 210, and recommended that it do pass.

Senator Peterson, from the Committee on Roads, made a report on Senate Bill No. 37, recommending that it lie on the table.

Senator May, from the Committee on Roads, made a report on Senate Bill No. 21, with amendments, recommending that the same do pass.

Senator Zimmerman, from the Committee on Roads made a report on Senate Bill No. 176, recommending that the same do pass.

Senator Marshall presented a petition from the citizens of his county.

Which was referred to the Committee on Claims, without reading.

Senator Null, from the Committee on Corporations, made report on Senate Bills:

No. 71, recommending that it do pass.

No. 111, recommending that it be amended and pass.

Senate Bill No. 87, recommending that it do pass.

Senate Bill No. 131, recommending that it be amended and pass.

Also, Senate Bill No. 75, recommending that it be referred to the Committee on Claims.

Senator Winter moved that the report of the committee on Senate Bill No. 75 be concurred in, and the same referred to the Committee on Claims.

Carried.

Senator Hill made reports from the Committee on Agriculture on Senate Bills Nos. 93, 52, 108, 236 and 79.

Senator Thompson made report from the Committee on Cities on Senate Bills Nos. 207, 213, 243 and 257.

Senator Bailey made report from the Committee on Labor, on Joint Resolution No. 7, with amendments.

Concurred in.

Senator Bailéy, from the Committee on Labor, submitted a report on Concurrent Resolution No. 12.

Ordered printed.

Senator Smith, of Jay, from Joint Committee on Public Buildings, made a report on Senate Bill No. 174, with certain amendments, recommending that it do pass.

House Concurrent Resolution No. 1, in reference to pensioning soldiers known as the limitation act.

Read and adopted.

House Concurrent Resolution No. 5, in reference to pensioning Mexican soldiers, and all disabled soldiers of the late war, who were honorably discharged.

Read and adopted.

House Concurrent Resolution No. 4, in relation to pensions, was read and adopted.

House Concurrent Resolution No. 7, in relation to railroad land grants, etc., was read and adopted.

House Concurrent Resolution No. 8, relating to soldiers' interests, instructing our Senators and Representatives to exercise diligence in looking after such interests.

Read and adopted.

House Concurrent Resolution No. 10, in relation to the Ohio river improvement at Ohio Falls, etc., was read and adopted.

Engrossed House Joint Resolution No. 1:

Proposing an amendment to section 2 of article 6 of the Constitution.

Read the first time and referred to the Committee on Judiciary.

On motion of Senator Youche, the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 5, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair.

Senator Adkinson introduced Senate Bill No. 264, entitled:

An act to authorize the construction of free gravel or turn-pike roads, and for their maintenance.

Read the first time and referred to the Committee on Roads.

Senator Johnson introduced Senate Bill No. 265, entitled:

A bill for an act entitled an act in relation to the rights and liabilities of married women, repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Johnson introduced Senate Bill No. 266, entitled:

An act compelling parents or others having authority over children attending a public school to restrain from school attendance in case of cholera, measles, small-pox and scarlatina at their houses, and to notify the school superintendent or teacher of the appearance of such disease; also, compelling the superintendent or teacher to notice of such disease in school, and making the violation of this act a misdemeanor punishable by fine, and declaring an emergency.

Read first time and referred to Committee on Education.

Senator Ernest introduced Senate Bill No. 267, entitled :

A bill for an act authorizing the Governor and Auditor of State to issue patents for swamp lands in certain cases, providing for the delivery of the same to the present owners thereof, and declaring an emergency.

Read first time and referred to Committee on Swamp Lands.

Senator Fowler presented a petition on educational matters. Referred to Committee on Education without reading.

Senator Schloss presented a petition on military affairs. Referred to Committee on Military Affairs.

The time having arrived for the special order for this afternoon, the same being the discussion of the majority and minority reports of the committee on investigating the State Treasurer.

Senator Magee moved that the discussion on the majority and minority report be limited to 20 minutes to each Senator wishing to discuss the same.

Senator Smith, of Jay, moved to amend, making the time 10 minutes.

Senator Smith, of Jennings, moved to lay the motion and amendment on the table.

Carried.

Senator Magee moved to limit the time to 30 minutes.

Senator Smith, of Jennings, moved to lay the motion on the table.

Lost.

And the original motion was then carried.

Senator Willard moved that the discussion on the preceding question be commenced at 2:30 P. M. and close at 3:30 P. M.

Not carried.

Senator Lindley moved that the minority report of special committee be substituted for that of the majority report, and the same be concurred in.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has refused to concur in the Senate amendment to House Bill No. 8, in relation to the bond of the Treasurer of State, and asks for a conference committee of the House and Senate to confer in relation to the same. Messrs. Eley and Twineham have been appointed on the part of the House to act as such conference committee.

H. C. DARNELL,
Principal Clerk.

Senator Willard moved that a conference committee on the part of the Senate be appointed.

Carried.

The President appointed Senator Willard and Senator Smith, of Jennings, as the committee on the part of the Senate.

Senator Smith, of Jay, asked leave of absence until next Tuesday morning.

Granted.

On motion of Senator Magee, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

FEBRUARY 6, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Dr. Alabaster, of Meridian Street M. E. Church, of Indianapolis.

The Journal was read in part, and, on motion, the further reading was dispensed with.

President announced that he had signed Enrolled House Bill No. 356.

Senator Willard presented the following report from the conference committee on House Bill No. 3:

MR. PRESIDENT:

Your committee of conference considering House Bill No. 3, would respectfully report that they have agreed to insert the words "seven hundred thousand" in place of the words "one million," as passed by the House of Representatives, and "five hundred thousand," as amended by the Senate.

A. G. SMITH,
JAS. H. WILLARD,
A. P. TWINEHAM,
DAVID ELEY.

Report unanimously concurred in.

Senator Weir, from the Judiciary Committee, made a report, with amendments, on Senate Bill No. 45, recommending that the same do pass.

The following messages were received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has agreed to the report of the conference committee on House Bill No. 3, which committee recommended that the bond of the Treasurer of State be fixed at seven hundred thousand dollars.

H. C. DARNELL,
Principal Clerk.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 13, to repeal an act entitled "An act to authorize aliens to hold real estate," etc., and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 33, to legalize the incorporation of the town of Cannelton, Perry county, Indiana.

Also, House Bill No. 39, for an act authorizing Boards of County Commissioners to make suitable appropriations from the County Treasury, for the education of pauper children, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator McCullough moved the previous question, which was seconded.

The question being on the substitution of the minority report of the special investigating committee for the majority, and the adoption of the same.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Macy, Magee, Moon, Overstreet, Smith of Delaware, Winter, Youche. Total, 15.

Those voting in the negative were :

Senators, Bailey, Brown, Bryant, Day, Duncan of Brown, Ernest, Fowler, Hill, Hilligass, Howard, Johnson, Johnston, May, McClure, McCullough, McIntosh, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard, and Zimmerman. Total, 26.

So the motion was not concurred in.

On the vote on the adoption of the minority report, Senators Lindley and Smith of Jay were paired.

The question then being on the adoption of the majority report.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Day, Duncan of Brown, Ernest, Fowler, Hill, Hilligass, Howard, Johnson, Johnston,

May, McClure, McCullough, McIntosh, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard, and Zimmerman. Total, 26.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Davis, Drake, Ensley, Foulke, Huston, Macy, Magee, Moon, Overstreet, Smith of Delaware, Winter, and Youche. Total, 15.

So the report was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 12, providing for the engagement of a stenographer to take evidence in the investigation of the Knightstown asylum, and the selection of a room by the Doorkeeper to hold committee meetings, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Weir moved that House Concurrent Resolution No. 12 be adopted.

Carried.

On motion, Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 6, 1885.

Senate met at 2 o'clock P. M., with Lieutenant Governor Manson in the chair.

Senator Shively, from the Committee on Executive Appointments, submitted the following report :

MR. PRESIDENT :

The Committee on Executive Appointments, to whom was referred the Governor's Message of February 3, 1885, appointing Hamit N. Helms, of Sullivan county, a Commissioner of

the Board of Control of the Indiana Reform School for Boys, to succeed himself, and to serve as such for a term of four years from the 23d day of February, 1885, and until his successor shall have been appointed and qualified, recommend that the Senate confirm the appointment.

JAMES S. SHIVELY,

Report read and concurred in.

Senator Schloss presented a report from the Committee on Railroads on Senate Bill No. 12, recommending that it do pass.

Senator Thompson, from Committee on Cities and Towns, made a report on Senate Bill No. 97, recommending that it be indefinitely postponed.

Senator Davis, from same committee, presented a minority report on Senate Bill No. 97.

Senator May, from Committee on Roads, presented a report on Senate Bill No. 264, recommending that it do pass.

Senator May, from Committee on Organization of Courts, made a report on House Bill No. 35, recommending that the same do pass.

Senator Thompson, from the Committee on Cities, made a report on Senate Bill No. 217, recommending that the same do pass.

Senator May introduced Senate Bill No. 269, entitled:

An act to fix the time of holding courts in the Second Judicial Circuit of the State of Indiana, fixing the length of terms thereof, providing for the return of process therein, repealing all laws in conflict with this act, and declaring an emergency.

Read a first time and referred to Committee on Organization of Courts.

Senator Bailey introduced Senate Bill No. 270, entitled:

A bill for an act to amend sections 2, 3 and 6 of an act approved March 8, 1881, and being sections 3052, 3053 and 3056 of the Revised Statutes of 1881, entitled, an act supplementary

to an act approved March 14, 1867, entitled, an act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters, and declaring an emergency.

Read first time and referred to Committee on Cities and Towns.

Senator Bailey introduced Senate Bill No. 271, entitled:

A bill to prohibit the manufacture or sale of oleomargarine or any other compound in imitation of butter or cheese, and repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

Read the first time and referred to the Committee on Public Health and Vital Statistics.

Senator Duncan introduced Senate Bill No. 272, entitled:

A bill for an act making it a felony for any officer or employe of any bank to solicit or receive any deposit from any person or corporation, or to permit any other officer or employe to solicit or receive any deposit in such bank, knowing at the time that such bank is insolvent, and prescribing punishment therefor.

Read first time and referred to Committee on Judiciary.

Senator Davis introduced Senate Bill No. 273, entitled:

An act to amend section twenty-nine of an act entitled an act to provide for the incorporation of railroad companies, approved May 11, 1852, being section 3925 Revised Statutes of 1881.

Read the first time and referred to Committee on Railroads.

Senator Foulke introduced Senate Bill No. 274, entitled:

A bill to amend section eighteen of an act entitled an act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, and making appropriations, approved May 13, 1869.

Read first time and referred to Committee on Prisons.

Senator Hilligass, on behalf of Senator Magee, asked unanimous consent to have spread on the journal a resolution in regard to minority report from committee on investigating State Treasurer.

The same was unanimously granted and reads as follows :

MR. PRESIDENT :

I move to strike out of the report of the minority all that portion of said report commencing with line 15, page 4, and ending with line 16 on page 8. Also, all that portion of said report commencing with the word "that" in line 3, page 1, and ending with line 6 on page 2.

Senator Day, by request, introduced Senate Bill No. 275, entitled :

A bill for an act to authorize judicial proceedings to establish the due execution and validity of wills during the life of the persons executing the same.

Read the first time and referred to Committee on Judiciary.

Senator Huston introduced Senate Bill No. 276, entitled :

An act to amend an act entitled an act to authorize the Township Trustee of Union township, Union county, Indiana, or his successor in office, to pay a certain indebtedness incurred by a former Trustee of said township.

Read first time and referred to Committee on County and Township Business.

Senator Day, from Committee on Railroads, made a report on Senate Bill No. 146, recommending that the bill be indefinitely postponed.

Senator Shively moved to suspend the regular order and take up Senate Bill No. 18 on second reading.

Carried.

Senate Bill No. 18 was read a second time, together with the report of the committee and amendments.

Senator McIntosh offered certain amendments to Senate Bill No. 18.

Senator Winter offered the following amendment to report of committee on Senate Bill No. 18:

MR. PRESIDENT:

I move to amend report of committee as follows: Strike out all after the enacting clause and insert "Senate Bill No. 228," and that the bill when so amended do pass.

The President announced that he had signed Enrolled House Bill No. 8.

Senator Smith, of Jennings, presented the following report from the Committee on Enrolled Bills:

MR. PRESIDENT:

Your Committee on Enrolled Bills have had under consideration Enrolled Senate Bill No. 33, and have compared it with the engrossed bill, and find it correctly enrolled.

A. SMITH,
Chairman.

Senator Magee asked leave of absence for the remainder of the day.

Granted.

Senator Willard asked leave of absence for Senator Howard the remainder of the day, on account of sickness.

Granted.

Senator Foulke asked leave of absence for Senator Schloss.

Granted.

Senator Winter moved that Senate Bill No. 18, together with the reports and amendments, be printed.

Carried.

Senator May presented certain claims, which were referred to the Committee on Claims.

The President announced that he had signed House Bill No. 33.

The time having arrived, the special order for this afternoon was taken up, the same being Senate Bill No. 29.

Senate Bill No. 29 was read the second time, together with the following majority and minority reports:

MR. PRESIDENT:

A majority of your Committee on County and Township Business, to whom was referred Senate Bill No. 29, introduced by Senator Huston, report that we have had the same under consideration, and recommend that said bill lie on the table.

McINTOSH,
Chairman.

MR. PRESIDENT:

A minority of your Committee on County and Township Business, to whom was submitted Senate Bill No. 29, introduced by Senator Huston, having had the same under consideration recommend that the same do pass.

MACY.

Senator Winter offered the following amendment:

MR. PRESIDENT:

I move to amend section 1 of Senate Bill No. 29 by striking out the figures "4869" in line 2 and inserting in lieu thereof the figures "74."

Adopted.

Senator Willard asked leave of absence for Senator Sellers until next Monday.

Granted.

Senator Campbell, of Hendricks, moved to recommit Senate Bill No. 29, together with amendments, to the Committee on Judiciary.

Carried.

Senator Brown offered the following:

MR. PRESIDENT:

I move the following amendment to Senate Bill No. 29: Strike out the word "eight" in line 7 and insert in lieu thereof the word "seven;" also, strike out all of section 1, line 8, from the word "provided."

Senator Davis asked leave of absence for Senator Huston.
Granted.

Senator Smith, of Jennings, moved that Senate Bill No. 73 be made special order for Monday 3 o'clock.

Carried.

Senator Youche was called to the chair.

On motion of Senator May, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING.

FEBRUARY 7, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Townsend, of the House of Representatives.

The Journal was read in part, and, on motion, the further reading was dispensed with.

Senator Fowler presented certain petitions, which were referred to Committee on Education.

Senator Bailey asked leave of absence for Senator Ensley.
Granted.

Senator Hilligass asked leave of absence for Senator Adkinson.

Granted.

Senator Youche presented a petition, which was referred to Committee on Cities and Towns.

Senator Willard asked leave of absence for Senator Sellers.

Senator Duncan, of Tipton, presented two petitions; referred to Committee on Education.

Senator Adkinson presented two petitions; referred to Committee on Education.

Senator Foulke asked leave of absence for Senator Johnston. Granted.

Senator Thompson returned a petition that had been referred to Committee on Temperance, and the same was referred to Committee on Education.

Senator Zimmerman presented petition; referred to Committee on Education.

Senator Zimmerman presented a petition, which was referred to Committee on Military Affairs.

Senator Brown presented a petition, which was referred to Committee on Military Affairs.

Senator Johnston made report from Committee on Education on Senate Bill No. 151, with amendments, and recommend that the same, *when so amended*, do pass.

Senator Campbell, of Hendricks, offered petition, which was referred to Committee on Education.

Senator Bailey, from the Committee on Labor, on Joint Resolution No. 8, ordered printed.

Senator Overstreet moved to take Senate Bill No. 127 from the table and refer it to Committee on Corporations.

Carried.

Senator McCullough, from the Committee on Judiciary, made reports on Senate Bills No. 44, 90, 92, 190, 191, 110, 193, 203, 205, 212, 214, 215, 220, 230, 231 and 248.

Senate Bill No. 191 was made a special order for Monday, 11 o'clock.

Senator Zimmerman, from Committee on Roads, made report on Senate Bill No. 83, with amendments to section 1, and recommend that the bill do pass.

Senator Zimmerman, from the Committee on Roads, made report on Senate Bill No. 48, recommending that the same do lie on the table.

Senator Ernest made report from the Committee on Swamp Lands on Senate Bill No. 128, recommending that the same do lie on the table.

Senator Ernest, from the Committee on Swamp Lands, made report on Senate Bill No. 171, recommending that the same do pass.

Senator Bailey made report from the Committee on Corporations on Senate Bill No. 163, and recommend that it do pass.

Senator Youche moved that Senate Bill No. 117 be made a special order for 2 o'clock P. M. Monday.

Carried.

Senator Thompson, from the Committee on Temperance, made report on Senate Bill No. 217, being both majority and minority reports.

Minority report indefinitely postponed.

Majority report concurred in.

Senator Thompson, from the Committee on Cities and Towns, made majority and minority reports on Senate Bill No. 175.

Both reports printed.

Senator Campbell moved that Senate Bill No. 4 be made a special order for Monday at 3 P. M.

Carried.

Senator Youche moved that Senate Bill No. 73 be made a special order for 2:30 P. M. Monday.

Carried.

Senator Winter presented a petition to Governor Manson in regard to the appointment of Thomas Minahan as page of the Senate.

Senator Winter offered the following resolution:

Resolved, That Thomas Managham be appointed an additional page.

Senator Willard offered the following amendment:

MR. PRESIDENT:

I move to amend by inserting, also, the name of Jno. Fitzpatrick.

Senator Magee moved the consideration of this business be postponed until Tuesday morning at 10:30 o'clock.

Carried.

Senator Winter offered a petition.

Which was referred to the Committee on Education.

Senator Smith of Jennings moved that when the Senate adjourned to-day at 12 o'clock, it be until Monday next at 10 o'clock.

Carried.

Senator Winter called up Senate Bill No. 96, and asked that it be placed on its second reading.

Consent.

Senate Bill No. 96 was read a second time.

Senator Foulke gave notice that on next Monday he would move to change the rules of the Senate so as to provide for the convening of said body at 9:30 o'clock A. M., instead of 10 o'clock A. M.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has amended Senate Concurrent Resolution No. 14 for a joint convention of both houses on Monday, February 9, at 10

o'clock A. M., so that both houses shall meet at 2 o'clock P. M. on said day, for the purpose of electing certain officers therein named.

Also, that the House has passed House Bill No. 57, for an act to amend section 372 of an act concerning proceedings in civil cases.

Also, House Bill No. 62, for an act concerning taxation.

Also, House Bill No. 47, to amend the act authorizing the appointment of short-hand reporters.

Also, House Bill No. 70, relating to live stock importing.

Also, House Bill No. 49, to amend section 740 of an act concerning proceedings in civil cases.

Also, House Bill No. 65, to amend section 200 of an act concerning public offenses.

Also, that the House has amended House Resolution No. 13, providing for the appointment of a short-hand reporter by the special committee on the Knightstown investigation, so that such reporter shall be paid not more than six dollars per day for making the transcript of testimony, and eight hours shall constitute a day's services.

H. C. DARNELL,
Principal Clerk.

Senator Winter moved that Senate Bill No. 96 be engrossed.
Carried.

Senator Bailey introduced Joint Resolution No. 9, in relation to the subject of the enforcement of the laws in relation to Chinese immigration.

Read first time and referred to Committee on Labor.

Senator Brown introduced Senate Bill No. 277, entitled:

A bill entitled an act authorizing and directing the Board of Commissioners of any county in this State, containing, according to the return of the census taken under and by the authority of the government of the United States in the year 1880, a population of fifty-four thousand inhabitants and upwards, not having a Criminal Court therein, to allow the Judge of the

Circuit Court of such county five hundred dollars per annum in addition to the salary now allowed such Judge by law, and to provide for the time and manner of its payment, and declaring an emergency.

Read the first time and referred to Committee on Fees and Salaries.

Senator Benz introduced Senate Bill No. 278, entitled :

A bill to amend section 9 of an act supplemental to an act entitled an act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein presented, approved March 6, 1860, approved March 8, 1873, being section 4520 of Revised Statutes of 1881.

Read first time and referred to Committee on Education.

Senator Brown introduced Senate Bill No. 279, entitled :

An act providing for the safety of passengers and employes on railroad trains, and declaring an emergency.

Read a first time and referred to Committee on Rights and Privileges.

Senator Campbell introduced Senate Bill No. 280, entitled :

A bill to amend section 10 of an act entitled an act defining who are persons of unsound mind, and authorizing the appointment of guardians for such persons, defining the powers and duties of such guardians, declaring void the contracts of persons of unsound mind, and providing for their restraint when necessary, approved May 29, 1852, being section 2553 of the Revised Statutes of 1881, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Drake introduced Senate Bill No. 281, entitled :

An act authorizing Boards of Commissioners to issue bonds to assist in the drainage of lands.

Read a first time and referred to Committee on Swamp Lands.

Senator Fowler introduced Senate Bill No. 282, entitled:

An act to repeal an act entitled, "An act to provide for the establishing of a Department of Geology and Natural History in this State," approved April 14, 1881.

Read a first time and referred to Committee on Mines and Mining.

Senator Hilligass introduced Senate Bill No. 283, entitled:

An act concerning soldiers' monuments.

Read first time and referred to Committee on Military Affairs.

Senator Howard introduced Senate Bill No. 284, entitled:

An act concerning persons of unsound mind and persons of weak and feeble mind, and matters properly connected therewith, and repealing all laws in conflict with this act, and declaring an emergency.

Read first time and referred to Committee on Benevolent Institutions.

Senator Willard introduced Senate Bill No. 285, entitled:

An act to prevent the doors of seminaries, colleges, public school buildings and school-houses from being locked during school hours, and requiring all outer doors of said buildings to be kept free to admission and exit for one hour before and until close of school day.

Read the first time and referred to Committee on Education.

Senator Willard introduced Senate Bill No. 286, entitled:

A bill for an act entitled, "An act to amend section 4 of an act providing for the organization of County Boards, and prescribing some of their duties," approved June 17, 1852, the same being section 5736 of the Revised Statutes of 1881.

Read a first time and referred to Committee on County and Township Business.

Engrossed House Bill No. 72 was taken up on first reading and referred to Committee on Organization of Courts.

Engrossed House Bill No. 18 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 39 was read first time and referred to Committee on County and Township Business.

Engrossed House Bill No. 65 was read first time and referred to Committee on Agriculture.

Engrossed House Bill No. 47 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 62 was read first time and referred to Committee on Ways and Means.

Engrossed House Bill No. 57 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 49 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 70 was read first time and referred to Committee on Corporations.

Senate Concurrent Resolution No. 14 was read as amended by the House.

On motion of Senator Day the same was concurred in.

On motion of Senator Magee the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

FEBRUARY 9, 1885.

Senate met in regular session, Senator Magee in the chair.

Opened with prayer by Rev. Mr. Bartlett, of Indianapolis.

Journal read in part, and on motion of Senator Ernest the further reading dispensed with.

Senator Foulke presented a petition and memorial; read and referred to the Committee on Education.

Senator Null presented a petition; read and referred to the Committee on Education.

Senator Null presented a petition; read and referred to the Committee on Military Affairs.

Senator Duncan of Tipton presented a petition; referred to Committee on Education.

Senator Foulke made a majority report from the Committee on Judiciary on Senate Bill No. 1; made special order for Friday, at 2 o'clock.

Senator Bailey introduced Senate Bill No. 287, entitled :

An act to regulate the business of banking under the laws of this State, and declaring an emergency.

Read the first time and referred to Committee on Banks and Banking, and 100 copies ordered printed.

Senator Bailey introduced Senate Bill No. 288, entitled :

An act to amend section 9 of an act to enable the owners of lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of County Commissioners and other officers in the premises, and to provide for the repair and enlargement of such drains, and repealing certain acts therein specified and declaring an emergency, approved April 21, 1881.

Read the first time, and referred to Committee on Swamp Lands and Drainage.

Senate Bill No. 191 was taken up as special order and read the second time, together with the report of the Judiciary Committee.

Report of the committee concurred in.

Senator McCullough moved that Senate Bill No. 191 be engrossed.

Carried.

Senator Weir moved that Senate Bill No. 45 be made a special order for Tuesday at 2 P. M.

Carried.

Senator Bailey called up Senate Bill No. 54, and moved that it be engrossed and made special order for Tuesday at 3 P. M.

Carried.

Senator Bryant called up Senate Bill No. 3.

Senator Bryant offered the following amendment to Senate Bill No. 3:

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That section 213 of said act be amended as follows, to-wit: Section 213. Any person or persons who shall knowingly allow Canada thistles to grow and mature on his, her or their lands, or upon land which they may have under their charge, and every Supervisor of Roads who shall knowingly allow Canada thistles to grow and mature on any public highway over which said Supervisor has supervision, and every road master of any railroad who shall knowingly allow Canada thistles to grow and mature on the lands held, owned or used by said company as depot or station ground, or as right of way for that part of the road so owned, held or used by said railroad company over which such road master has supervision, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined for the first offense in any sum not less than five nor more than twenty dollars, and for the second and each subsequent offense shall, upon conviction thereof, be fined in any sum not less than ten nor more than fifty dollars.

Sec. 2. Section 212 of the above entitled act be and the same is hereby repealed.

Adopted, and the bill, as amended, ordered engrossed.

Senator Winter moved that Senate Bill No. 182 be taken up and read the second time.

Carried.

Senate Bill No. 182 was read the second time, together with the report of committee.

Report concurred in.

Senator Winter moved that Senate Bill No. 182 be engrossed.

Carried.

Senator Hilligass moved that Senate Bill No. 88 be made a special order for Tuesday at 2:30 P. M.

Carried.

Senator McCullough moved that Senate Bill No. 262 be referred to the Judiciary Committee.

Carried.

Senator Sellers called up Senate Bill No. 180, which was read the second time, together with the following report of the committee:

MR. PRESIDENT :

Your Committee on Swamp Lands, to whom was referred Senate Bill No. 180, introduced by Senator Sellers, report that we have had the same under consideration and report as follows:

That section 1 of said act be amended by inserting after the word "constructing" in line 15 the words "and maintain."

That section 5 of said act be amended by striking out the words "one hundred" in line 3, page 5, and inserting in lieu thereof the following: "Twenty-five."

And recommend that said bill, when so amended, do pass.

JOSHUA ERNEST,
Chairman.

Concurred in.

Senator Winter offered the following amendment to Senate Bill No. 180:

Amend section 5 by striking out all of line 6 after the word "dollars" to the word "and" in line 7.

Adopted.

Senator Hilligass offered the following amendment to Senate Bill No. 180:

In line 5, section 5, after the words "not less than" by striking out the word "ten" and insert in lieu thereof the words "twenty-five."

Adopted.

Senator Sellers offered the following amendment to Senate Bill No. 180:

MR. PRESIDENT:

I move to amend Senate Bill No. 180 by adding to section 1 the following, to-wit: "Such fish ladders to be constructed in such manner and of such material as shall be directed by the Commissioner of Fisheries of Indiana," and by inserting in line 18, of section 2, after the word "situate" the words "in case of such failure."

Adopted, and bill ordered engrossed.

Senator Bailey called up Senate Bill No. 20.

Senate Bill No. 20 was read a second time, together with the following report from the committee:

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to which was referred Senate Bill No. 20, has had the same under consideration and request me to report that said bill be amended by substituting the words "twelve years" for the words "fourteen years," wherever the latter appear therein, and that when said bill be so amended it do pass.

LEON O. BAILEY,
Chairman.

Report concurred in.

Senator Bailey offered the following amendment to Senate Bill No. 20, as follows:

In section 1, line 5, after the words "age of" strike out the word "twelve" and insert the word "fourteen" in lieu thereof.

Senator Duncan, of Hamilton, moved to amend Senate Bill No. 20, as follows:

Amend after "the age of" fourteen years during the session of the public schools of the district in which such mines or manufactories are situated.

Senator Sellers moved that Senate Bill No. 20 and all amendments, be referred to Committee on Labor.

On motion of Senator Hilligass, Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 9, 1885.

Senate met at 2 o'clock, Senator Magee in the chair.

The time having arrived for the special order, the same being the joint convention of the two Houses.

Senator Weir moved that the Senate proceed to the House for the purpose of electing the different officers of the charitable institutions of the State.

Senate reconvened.

Senator Sellers moved that Senate Bill No. 20 be referred to Committee on Health and Vital Statistics.

Senator Willard moved to amend by committing Senate Bill No. 20 back to Committee on Labor and Labor Statistics.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Campbell of Hendricks, Duncan of Hamilton, Howard, Lindley, Magee, May, McClure, Null and Willard. Total, 10.

Those voting in the negative were:

Senators Bailey, Brown, Bryant, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Marshall, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter and Youche. Total, 29.

So the motion was not concurred in.

Senator Campbell, of Hendricks, arose to a point of order and called for the special order for to-day, the same being the consideration of Senate Bill No. 73.

Sustained.

Senate Bill No. 73 was taken up as special order and read a second time, together with report of the committee.

Senator Sellers offered the following amendment to Senate Bill No. 73:

MR. PRESIDENT:

I move to amend Section 1 of Senate Bill No. 73 by striking out of line 2 the words "or from," and by striking out all of said section after the end of line 2, and inserting in lieu thereof the following, i. e.: "The Clerk of the Circuit Court when he issues an order for the removal of such patients to said hospitals, shall designate some female proper for such purpose, to accompany said patient on the journey to the hospital and act as assistant to the officer having charge of such patient for committal, and such female assistant shall be entitled to the same compensation as is now allowed by law to such assistants."

Senator Foulke offered the following amendment to Senate Bill No. 73:

Amend by adding after words "entitled to" in line 7, section 1, the words "the actual expenses incurred by him in such conveyance to be shown by a verified itemized account which shall in no event exceed."

Senator McCullough offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 73 by striking out all of section 1, and strike out of line 1 of section 2 the word "further" and insert in said line immediately after the word "enacted" the words "by the General Assembly of the State of Indiana."

J. E. McCULLOUGH.

Senator Weir moved to lay the bill and amendments on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Ensley, Faulkner, Fowler, Hill, Hus-

ton, Lindley, Marshall, May, McCullough, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Thompson and Weir. Total, 24.

Those voting in the negative were:

Senators Bailey, Duncan of Brown, Foulke, Hilligass, Howard, Magee, McClure, McIntosh, Smith of Jennings, Smith of Delaware, Willard, Winter and Youche. Total, 14.

So the motion was concurred in.

Senator Duncan asked leave of absence for the Committees on Education and Finance, and all other Senators who desire to go to Bloomington, on to-morrow.

Granted.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
GOVERNOR'S OFFICE,
INDIANAPOLIS, February 7, 1885.

Gentlemen of the Senate:

I have received, approved and signed, Senate Enrolled Act No. 88, "An act to legalize the incorporation of the town of Cannelton, Perry county, Indiana, the election and qualification of its several Boards of Trustees, and other officers and all the acts, orders, ordinances, resolutions, by-laws, minutes and proceedings of the Boards of Trustees of said town, and other matters connected therewith, and declaring an emergency," and have filed it in the office of Secretary of State.

Respectfully,

ISAAC P. GRAY,
Governor.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 9, 1885.

Gentlemen of the Senate:

I have the honor to transmit herewith a copy of a communication of the 6th inst, received by me from Hon. Conrad

Baker and others, trustees of the Morton Monumental Association, presenting to the State of Indiana the bronze statue of the late Governor Oliver P. Morton, recently erected in the Governor's Circle in this city, and asking that the same be accepted by the General Assembly, now in session, as the property of the State, with a request that I will transmit to you such communication or a copy thereof. The same is submitted to you for such action as you may consider necessary.

A communication similar to this has been transmitted to the House of Representatives.

ISAAC P. GRAY,
Governor.

Senator Foulke offered the following concurrent resolution:

Resolved by the Senate, the House of Representatives concurring,
That we accept in behalf of the State the monument referred to in the Governor's message, as the property of the State of Indiana.

Adopted.

Senator Youche moved to take up special order, the same being the consideration of Senate Bill No. 117.

Senate Bill No. 117 was read a second time, together with the following majority and minority reports:

MR. PRESIDENT:

Your Committee on Fees and Salaries, to whom has been referred Senate Bill No. 117, for an "Act to amend section 7 of an act supplemental to an act concerning fees and salaries," etc., approved July 28, 1888, and a majority of said committee direct me to report said bill to the Senate with the recommendation that it do pass.

E. P. RICHARDSON,
Chairman.

MR. PRESIDENT:

We, the undersigned members of the Committee on Fees and Salaries, to whom has been referred Senate Bill No. 117, for an "Act to amend section 7 of an act supplemental to an act concerning fees and salaries," etc., approved July 28, 1888, beg leave to submit a minority report, recommending that said bill do not pass, and that it be indefinitely postponed.

ELI W. BROWN,
F. M. HOWARD.

Senator Youche moved that the majority report be adopted.

Senator Hilligass moved to substitute the minority report for the majority report.

Not carried.

And the majority report was concurred in and the bill ordered to be engrossed.

Senate Bill No. 4 was read a second time, together with the following report of the Committee on Judiciary:

Senator McCullough, from the Committee on Judiciary, offered the following report:

MR. PRESIDENT:

Your Committee on Judiciary have had under consideration Senate Bill No. 4, a bill for an act to protect the ballot-box, procure fair elections, etc., and the committee direct me to report the bill back to the Senate with the recommendation that it be amended as follows: Amend section 4 by inserting after the first word "sections," the words, "268 and 269 of an act entitled, an act concerning public offenses and their punishment, approved April 14, 1881, the same being sections."

And the committee further recommend that when so amended the bill do pass.

McCULLOUGH,

Chairman.

Senator Fowler offered the following amendment to the bill, to wit:

Insert after the word "dollars," in line 4, section 2, the following words: "Not less than ten dollars. Strike out the words "his natural life," and insert after the word "for," in line 5 in section 2, the following: "Any determined period of not less than eight years."

MR. PRESIDENT:

I move to amend Senate Bill No. 4 as follows: Insert after the word "dollars," in line 5, section 1, the words, "nor less than ten dollars."

Strike out the words "his natural life," in line 6, section 1, and insert after the word "for," in line 6, section 1, the words "any determinate period not less than eight years."

On motion of Senator Duncan, the Senate adjourned.

RUFUS MAGEE,

President of the Senate, *pro tem.*

TUESDAY MORNING.

FEBRUARY 10, 1885.

Senate met in regular session, with Lieutenant Governor Manson in the chair.

Opened with prayer by Representative Franklin, of Hancock county.

Journal read in part, and on motion of Senator Youche the further reading was dispensed with.

Senator Fowler asked leave of absence for Senator Davis.
Granted.

Senator Fowler introduced Senate Bill No. 289, entitled :

An act concerning fire, fire and marine and marine and inland insurance companies not organized under the laws of Indiana, and also concerning persons acting as agents, solicitors, brokers or surveyors of or for any such companies.

Read a first time, and referred to the Committee on Insurance.

Senator Magee moved to take up Senate Bill No. 4.

Senator Magee offered the following amendment to Senate Bill No. 4:

MR. PRESIDENT :

I move to amend Senate Bill No. 4 by adding thereto: "Section 5. The Sheriff of each county shall cause to be printed and posted at each elective precinct in the State a copy of this act during each and every general election, and the Trustee of each township shall so post such copy at every township election, and the Mayor of each city at every city election. All such posting to be done on the morning of election, just prior to the opening of the polls.

Adopted.

Senator Campbell moved that the amendment offered by Senator Fowler be adopted.

Carried.

Senator Campbell of Hendricks moved that the bill as amended be engrossed.

Carried.

Senate Resolution No. — in reference to pages, being the special order for 10 o'clock, was taken up with the amendment of Senator Willard.

Senator McCullough moved that the resolution and amendments be laid on the table.

Carried.

Senator Thompson moved to take up Senate Bill No. 43 on second reading.

Carried.

Senate Bill No. 43 was read a second time together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Federal Relations to whom was referred Senate Bill No. 43, entitled: An act to protect all citizens in their legal rights, and prescribing penalties for violation thereof, beg leave to report, advising insert in section 2, on page 2, line 12, after the word "punishment," the words "or a committal," and after the word "indictment," the words "affidavit or information."

In line 13, on page 2, strike out the words "either and respectively," and insert in lieu of the word "either" the words "further or other," and in lieu of the word "respectively" the words "or suit." Thus amended, your committee would move that it do pass.

C. L. FAULKNER,
Chairman.

Report concurred in.

Senator Foulke offered the following amendment to Senate Bill No. 48 as an additional section :

That all distinctions of race or color are hereby abolished, and whenever by the laws of this State any rights, privileges, capacities or immunities are granted to persons of any race or color such rights, privileges and capacities shall, under the same circumstances, be granted to persons of every other race and color.

Senator Campbell, of Hendricks, offered the following amendment :

MR. PRESIDENT:

I move to amend the amendment proposed by the Senator from Wayne, by adding the following words: *Provided*, That this act shall not apply to the laws on the subject of marriage.

Senator Smith, of Jay, offered the following substitute for all the amendments:

MR. PRESIDENT:

I move to strike out the enacting clause.

Senator Willard moved the previous question.

Seconded.

The question being, Shall the main question be now put?

Carried.

The question being on the adoption of Senator Smith's substitute.

The ayes and noes being demanded and called resulted as follows :

Those voting in the affirmative were:

Senators Day, Hill, Howard, Moon, Smith of Jennings, Smith of Jay. Total, 6.

Those voting in the negative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Ernest, Foulke, Fowler, Hilligass, Hoover, Huston, Lindley, Magee, Marshall, May, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total 34.

Not adopted.

The question then being on the amendment of Senator Campbell of Hendricks to the amendment of Senator Foulke.

The ayes and noes being demanded and called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Fowler, Hoover, Howard, Magee, May, McIntosh, Null, Peterson, Rahm, Richardson, Smith of Jennings, Smith of Jay, Smith of Delaware, Youche, Zimmerman. Total, 19.

Those voting in the negative were:

Senators Bailey, Brown, Campbell of St. Joseph, Day, Drake, Ernest, Foulke, Hill, Hilligass, Huston, Lindley, Marshall, McClure, McCullough, Schloss, Sellers, Shively, Thompson, Weir, Willard, Winter. Total, 21.

So the amendment was lost.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 327, for an act making appropriations for the State government and its institutions, directing the application of such appropriations, etc.

Also, House Bill No. 74, to legalize the incorporation of the Union Loan and Savings Company, of Marion county, Indiana.

Also, House Bill No. 79, for an act fixing the time of the holding of the courts in the Thirty-fifth Judicial Circuit.

Also, House Bill No. 82, to amend section 1 of an act authorizing County Commissioners to provide by purchase, suitable asylums for the use and occupancy of children who are proper charges upon the counties.

Also, House Bill No. 83, to fix the time of holding courts in the Fourteenth Judicial Circuit.

And the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

The question recurring on Senator Foulke's amendment.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Campbell of St. Joseph, Drake, Foulke, Huston, Lindley, Magee, Marshall, Overstreet, Shively, Willard, Winter, Zimmerman. Total, 11.

Those voting in the negative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Day, Ernest, Fowler, Hill, Hilligass, Hoover, Howard, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Youche. Total, 28.

So the amendment was lost.

The question being, Shall the bill be engrossed ?

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Day, Drake, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Lindley, Magee, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 38.

Those voting in the negative were :

Senators Benz, Smith of Jennings, Smith of Adams. Total, 3.

Motion carried.

Senator Foulke moved that the bill be considered engrossed, the constitutional rules suspended, the bill read a third time by sections and put upon its passage.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Ernest, Foulke,

Fowler, Hill, Hilligass, Hoover, Howard, Huston, Lindley, Magee, May, McClure, McCullough, Null, Overstreet, Peterson, Richardson, Schloss, Shively, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 34.

Those voting in the negative were:

Senators Benz, McIntosh, Rahm, Sellers, Smith of Jennings, Smith of Jay. Total, 6.

So the motion to suspend the rules was adopted.

The question being, Shall the bill pass?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Day, Drake, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Lindley, Magee, Marshall, May, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 36.

Those voting in the negative were:

Senators Benz, McIntosh, Sellers, Smith of Jackson, Smith of Adams. Total, 5.

So the bill passed.

The title of the bill was read.

The question being, Shall the title of the bill as read stand?

Senator Sellers offered the following amendment to the title of Senate Bill No. 43:

An act to protect all persons in their civil and legal rights, prescribing penalties for their violation to be recovered in a civil action, defining certain misdemeanors and fixing their penalties, and declaring an emergency.

Adopted.

The title as amended was then adopted.

On motion the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 10, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair.

Senator Campbell, of Hendricks, presented a claim in favor of Dye & Fishback.

Which was referred to Committee on Claims.

Senate Bill No. 45 being the special order for 2 o'clock P. M., was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 45, a bill providing for the establishment of an Appellate Court, and a majority of your committee hereby report the same back to the Senate with the recommendation that it be amended so as to read as follows, and that when so amended it shall pass.

WEIR.

CAMPBELL, of Hendricks.

SMITH, of Jennings.

FOULKE.

FOWLER.

Report concurred in.

Senator Magee offered the following amendment:

MR. PRESIDENT:

I move to amend section 23 of Senate Bill No. 45 by erasing the word "oral" and inserting the words "written or printed" in line, 1 page 7, and insert after the words "or order otherwise," and by striking out the words "may require written or printed briefs in addition," in lines 2 and 3.

Senator McCullough moved that Senate Bill No. 45 be re-committed to the Judiciary Committee, with instructions to make three Courts, etc.

Senator Campbell, of Hendricks, offered the following amendment to the amendment of Senator McCullough :

MR. PRESIDENT :

I move to amend the motion so that the bill shall be recommended to the Committee on Judiciary with instructions to incorporate in said bill provisions for holding one term of such Court of not less than eight weeks in each of the several districts in every year, and designating the time of commencement and place of holding said terms.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Lindley, Magee, Marshall, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Youche, Zimmerman. Total, 28.

Those voting in the negative were :

Senators Adkinson, Benz, Brown, Bryant, Hoover, May, McClure, Richardson, Sellers, Smith of Jay, Winter. Total, 11.

So the amendment was adopted.

The question being on the adoption of Senator McCullough's amendment as amended.

On motion, the same was adopted.

The following message was received from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 84, to provide for the incorporation of orphan asylums.

Also, House Bill No. 93, for an act to amend section 243 of an act entitled an act concerning public offenses.

Also, House Bill No. 98, for an act to legalize the acts of Notaries Public, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senate Bill No. 88, being the special order for this hour, 2:30 p. m., was taken up.

Senate Bill No. 88 read a second time, together with the following report of the Committee on Military Affairs:

MR. PRESIDENT:

Your Committee on Military Affairs, to whom was referred Senate Bill No. 88, report that we have had the same under consideration, and beg leave to submit the following report:

That section — be amended by striking out all the words after the words "United States."

That section 2 be stricken out.

That section 7 of said act be amended by striking out the word "sixty" in line 2, and inserting in lieu thereof the following: "forty-eight." Also, by striking out the following words in line 2, "five companies of cavalry."

That section 9, 10, 11 and 12 be stricken out.

That section 45 of said act be amended by striking out of line 11, the words "two thousand" and inserting in lieu thereof "fifteen hundred."

That section 70 of said act be stricken out.

That section 77 be stricken out.

That section 80 of said act be amended by striking out "twenty-five thousand."

That all of the sections of said bill not stricken out, be remembered from 1 to 75 inclusive.

And recommend that said bill when so amended do pass.

Concurred in.

Senator Smith, of Jennings, offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 88, by striking out section 78.

Senator Magee offered the following amendment to Senate Bill No. 88.

MR. PRESIDENT:

I move that section No. 38, be amended as follows:

To strike out all after the word "Indiana" in line 6, and ending with the word "duty" in line 7 of said section.

Senator Hilligass offered the following amendment to Senator Smith of Jennings amendment:

MR. PRESIDENT:

I move that section 78 be amended as follows:

In line 6 insert the words "appropriated and" between the words "be" and "paid." Strike out the word "annually." In line 7 strike out the word "eight" and insert the word "twelve" in lieu thereof, and strike out the words "per annum." In line 9 insert after the word "troop" the words "mustered into the active militia."

Senator Marshall offered the following resolution:

MR. PRESIDENT:

I offer the following resolution:

WHEREAS, The Doorkeeper of the Senate states that there is not a sufficient amount of toweling and soap in the wash room of this chamber for the use of Senators; therefore be it

Resolved, That the Doorkeeper of the Senate be authorized to purchase one-half dozen towels and two dozen toilet soap for use of Senators and employes in wash room of Senate Chamber.

Concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following bills, which are herewith transmitted to the Senate for its action thereon:

House Bill No. 125, to amend section 181 of an act entitled an act concerning taxation.

House Bill No. 142, to incorporate the town of Vernon, Jennings county, Indiana.

House Bill No. 124, to amend section 59 of an act concerning proceedings in civil cases.

House Bill No. 108, authorizing councils of cities to enforce ordinances in certain cases.

House Bill No. 180, for an act to amend section 240 of an act concerning public offenses.

H. C. DARNELL,
Principal Clerk.

Engrossed House Bill No. 327, was read first time and referred to Committee on Finance.

On motion, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

FEBRUARY 11, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Staley, of the House of Representatives.

Journal read in part, and on motion of Senator Schloss, the further reading was dispensed with.

Senator Smith, of Delaware, introduced Senate Bill No. 290, entitled:

A bill for an act to provide for the investment in interest-bearing bonds or securities of the State of Indiana, of the ten per cent. upon the amount of the work done and material furnished and accepted on the new State House, now retained and

hereafter to be retained by the Board of State Commissioners, and the like investment of the interest that may accrue from time to time on such bonds or securities, and declaring an emergency.

Read first time and referred to Committee on Claims.

Senator Peterson introduced Senate Bill No. 291, entitled:

An act to provide for obtaining and publishing reports of banks, savings institutions and trust companies, organized under the State laws, and all institutions receiving money on deposit and doing a general banking business in the State of Indiana.

Read first time and referred to Committee on Banks.

Senator Adkinson moved to take up Senate Bill No. 264, have it read a second time by title, and the constitutional rule be suspended, the bill considered engrossed, and read a third time by sections and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senator Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Youche, Zimmerman. Total, 41.

None voting in the negative.

So the constitutional rules were suspended.

Senate Bill No. 264 was read the second time, considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:~

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Zimmerman. Total, 41.

None voting in the negative.

So the bill passed.

Title of Senate Bill No. 264 was read and referred to Committee on Phraseology, etc.

Senator Hilligass introduced Senate Bill No. 292, entitled:

An act for the relief of Henry Simmons, John N. Miller, John Fuller, Jacob Orth, Henry C. Robinson, Wm. W. Watkins, Ebenezer C. Edwards, Ransom Rogers, Martin Hollinger, William R. Mercer, Wm. E. McClean, Peter Lyon, George A. Pain, John S. Burch, Ebenezer Paddock, John W. Watson, Isaac Cottrell, Henry A. Clearwater, Henry Miller, Henry F. Kuth, George D. Wood, Patrick Shannon, Hugh M. Brown, Eilert Harms, Richard Dunnigan, N. Andrews, James Butler, Phillip Schloss, Joseph Watson, Dennis Barrett, Newton Rodgers, William Bell, John A. Peters and Isaac Donhaun, and declaring an emergency.

Read a first time and referred to Committee on Rights and Privileges.

Senator Day introduced Senate Bill No. 293, entitled:

An act to amend section 10 of an act entitled an act concerning ferries.

Read first time and referred to Committee on Rights and Privileges.

Senator Adkinson presented a petition, which was referred to Committee on Education.

Senator Shively presented several petitions, which were referred to Committee on Education.

Senator Duncan, of Tipton, presented a petition, which was referred to Committee on Education.

Senator Smith, of Jennings, presented a petition, which was referred to Committee on Education.

Senator Faulkner presented several petitions, which were referred to Committee on Education.

Senator Fowler presented a petition, which was referred to Committee on Education.

Senator Fowler presented several petitions, which were referred to Committee on Public Health.

Senator Foulke moved that every bill be referred to the Committee on Phraseology before engrossment.

Carried.

Senator Lindley presented several petitions, which were referred to Committee on Education.

Senator Sellers presented a petition, which was referred to Committee on Education.

Senator Campbell, of St. Joseph, presented a petition, which was referred to the Committee on Education.

Engrossed Senate Bill No. 3 was read the third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, Null, Overstreet, Peterson,

Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Youche, and Zimmerman. Total, 39.

Those voting in the negative were:

Senators Benz, McIntosh, and Willard. Total, 3.

So the bill was passed.

The title as read was adopted.

Engrossed Senate Bill No. 4 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir and Youche. Total, 38.

Those voting in the negative were:

Senators Brown, Duncan of Brown, Faulkner, Smith of Jay, Willard, and Zimmerman. Total, 6.

So the bill passed.

The title as read was approved.

Engrossed Senate Bill No. 5 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Lindley, Macy, Marshall, May,

McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Youche and Zimmerman. Total, 38.

Those voting in the negative were :

Senators Hilligass, and Smith of Jay. Total, 2.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 7 was read a third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tip-ton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir and Zimmerman. Total, 37.

Those voting in the negative were :

Senators Fowler, McIntosh, Richardson, Shively, Smith of Jay, and Willard. Total, 6.

So the bill passed.

Engrossed Senate Bill No. 7 was referred to the Committee on Phraseology, with amendments of the title, etc., with instructions to report immediately.

Senator Foulke moved to lay Engrossed Senate Bill No. 113 on the table.

Carried

Engrossed Senate Bill No. 22 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Hilligass, Houston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, Null, Overstreet, Peterson, Rahm, Smith of Jennings, Smith of Delaware, Thompson, Weir, and Youche. Total, 27.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hoover, McCullough, McIntosh, Schloss, Sellers, Shively, Smith of Jay, Willard, and Zimmerman. Total, 17.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 25 was read a third time.

The question being, Shall the bill pass ?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Youche, and Zimmerman. Total, 42.

Duncan of Brown voting in the negative.

So the bill passed.

The title was read.

Senator Sellers offered the following amendment to the title of Senate Bill No. 25 :

MR. PRESIDENT :

I move to amend the title of Senate Bill No. 25, so that it shall read as follows : "An act fixing the time for the holding

of the Circuit Court, in the Thirty-fifth Judicial Circuit, and repealing all laws inconsistent therewith."

Adopted.

The title as amended was adopted.

Engrossed Senate Bill No. 28 was read a third time.

Senator Foulke moved that Engrossed Senate Bill No. 28 be referred to a special committee of three, with instructions to amend said bill, and report at 2 o'clock.

Carried.

Senator Winter moved that House Bill No. 70 also be referred to said special committee.

Carried.

Committee appointed: Senator Hoover, chairman, Senators Foulke and May.

Engrossed Senate Bill No. 46 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 45.

Those voting in the negative were:

Smith of Jay. Total, 1.

So the bill passed.

Title as read was adopted.

Engrossed Senate Bill No. 49 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Youche and Zimmerman. Total, 41.

None voting in the negative.

So the bill passed.

The title was read.

Senator Willard moved that the bill be referred to the Committee on Phraseology to amend the title.

Carried.

Senator Willard asked leave of absence for Senator Johnston until Thursday P. M.

Granted.

Senator McClure, from the Committee on Benevolent Institutions, presented the following report :

MR. PRESIDENT :

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Joint Resolution No. 3, by Senator Adkinson, to appoint a joint special committee, consisting of two in the Senate and three in the House, and to be instructed to draft and report at an early day a bill providing for the separation of the Soldiers' Orphans' Home from the Asylum for Feeble-Minded Children, and for the management thereof, and district institutions under different management, have had the subject under consideration, and your committee find that so far as all practical purposes are concerned the two institutions are separate, although under one management. The building has a frontage on the west one hundred and sixty feet, with wings on either end of one hundred feet, extending east. The orphans occupy the north wing, and the asylum inmates the south wing. The inmates of said institutions neither

associate, play, eat or sleep with each other. As aforesaid, for all practical purposes they are separated at this time. A majority of your committee, therefore, deem it inexpedient to legislate on the subject, and would respectfully ask that the Joint Resolution be laid on the table.

D. McCLURE, Chairman.

JAMES HILL.

F. M. HOWARD.

D. C. BRYANT.

Received.

Engrossed Senate Bill No. 57 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 44.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 59 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Peter-

son, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Youche, Zimmerman. Total, 43.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Duncan of Tipton, offered the following resolution :

Resolved, That the Superintendent of Public Instruction be, and he is hereby instructed, to lay before the Senate a statement showing the amount of the school fund unloaned in the several counties of the State.

Adopted.

On motion of Senator Fowler, Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 11, 1885.

Senate met pursuant to adjournment.

Senator Magee in the chair.

Engrossed Senate Bill No. 62, was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Weir, Willard, Winter, Youche and Zimmerman. Total, 38.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Senate Bill No. 293, was referred to Committee on Corporations, by request of Senator Day.

Engrossed Senate Bill No. 64, was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Johnston, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 39.

Those voting in the negative were:

Senators Fowler and Willard. Total, 2.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 67 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Johnston, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 43.

Those voting in the negative were:

Senator Adkinson. Total, 1.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 74 was read the third time.

The question being, Shall the bill pass?

The roll was call and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Hilligass, Hoover, Howard, Huston, Lindley, Macy, Magee, Marshall, Moon, McClure, Richardson, Shively, Smith of Jay, Smith of Delaware, Thompson, Winter, Youche. Total, 27.

Those voting in the negative were :

Senators Benz, Brown, Davis, Day, Faulkner, Fowler, Hill, Johnston, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Smith of Jennings, Weir, Zimmerman. Total, 18.

So the bill passed.

Title as read adopted.

Senator Sellers, from the Committee on Phraseology, etc., beg leave to recommend that the following be adopted as the title of Senate Bill No. 5, to wit:

An act to require plats of new additions to any city or incorporated town to be submitted to the Common Council of such city, or Board of Trustees of such town, before being placed on record, and providing a penalty for the violation thereof.

SELLERS,
Chairman.

Adopted.

Senator Sellers, from the Committee on Phraseology, etc., made the following report :

MR. PRESIDENT:

Your Committee on Phraseology, etc., beg leave to recommend that the following be adopted as the title to Senate Bill No. 21, to wit:

An act to protect the ballot-box, to procure fair elections, to prevent the purchase or sale of votes, to provide means of

proving such offenses, prescribing the punishment therefor, and repealing sections 268 and 269 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881, being sections 2184 and 2185 of the Revised Statutes of 1881.

Adopted.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to which was referred Senate Bill No. 7, beg leave to report that said bill has been corrected so that the same now corresponds in every respect with the orders of the Senate in striking out the words "has been" in line 3, of section 2, and by inserting in line 8 of said section after the word "upon" the words "before the first day of January, 1885."

SELLERS,
Chairman.

Adopted.

Senator Sellers, from the Committee on Phraseology, etc., begs leave to recommend that the present title of Senate Bill No. 7 stand as the title to the act.

Adopted.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT:

I move that the following be adopted as the title of Senate Bill No. 59:

An act to fix the times of holding the courts in the 34th Judicial Circuit, repealing all laws in conflict therewith, and declaring an emergency.

SELLERS,
Chairman.

Concurred in.

Senator Sellers, from the Committee on Phraseology, etc., made the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., beg leave to recommend that the following be adopted as the title of Senate Bill No. 64, to wit:

An act to authorize the appointment of short-hand reporters for certain courts of record in this State, prescribing the duties and compensation of such reporters, providing the manner of certifying transcripts on appeal, and repealing all laws heretofore passed in conflict therewith.

Adopted.

Senator Sellers, from the Committee on the Phraseology, etc., beg leave to recommend that the following be adopted as the title of Senate Bill No. 49, to-wit: An act to amend section 32 of an act entitled "An act concerning elections and the contest thereof," approved April 21, 1881, being section 4710 of the Revised Statutes of 1881.

Adopted.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., having had under consideration Senate Bill No. 3, beg leave to report that the engrossed bill passed by the Senate is correct, and we recommend that no further changes be made in the bill.

SELLERS,
Chairman.

Concurred in.

Senator Sellers, from the Committee on Phraseology, etc., made the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., beg leave to recommend that the following be adopted as the title of Senate Bill No. 264, to wit: An act to authorize Boards of Commissioners to accept certain gravel roads and maintain the same.

Adopted.

Engrossed Senate Bill No. 76 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 46.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 96 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Ensley, Huston, Macy, Moon, Overstreet, Rahm, Sellers, Smith of Delaware, Thompson, Weir, Winter, and Zimmerman. Total, 19.

Those voting in the negative were:

Senators Bailey, Benz, Bryant, Duncan of Brown, Faulkner, Foulke, Fowler, Hill, Hilligass, Johnston, Lindley, Marshall, May, McClure, McCullough, McIntosh, Peterson, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Willard, and Youche. Total, 24.

So the bill did not pass.

The President presented a petition from the citizens of Vigo county.

Referred to the Committee on Rights and Privileges.

Engrossed Senate Bill No. 99 was read a third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter, Youche, Zimmerman. Total, 42.

None voting in the negative.

So the bill passed.

The title was read and referred to Committee on Phraseology, etc.

The President presented an invitation from Superintendent Jacobs, of the Blind Asylum, to the Senate to attend an entertainment to be given at that institution to-night.

Engrossed Senate Billed No. 102, was read a third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total 44.

Senator Willard voting in the negative.

So the bill passed.

The title was read and referred to the Committee on Phraseology, etc.

Engrossed Senate Bill No. 112 was read a third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Johnston, Lindley, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Youche and Zimmerman. Total, 42.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 113 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Youche, and Zimmerman. Total, 44.

None voting in the negative.

So the bill passed.

The title was read.

Senator Sellers offered the following amendment:

MR. PRESIDENT:

I move to amend the title of Senate Bill No. 113 by annexing thereto the words, "and declaring an emergency."

Adopted.

The title as amended was adopted.

Engrossed Senate Bill No. 117 was read a third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hoover, Lindley, Macy, Marshall, McClure, McCullough, McIntosh, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Thompson, Winter, and Youche. Total, 28.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Campbell of St. Joseph, Hilligass, Huston, Johnston, May, Moon, Null, Overstreet, Smith of Jennings, Willard, and Zimmerman. Total, 14.

So the bill passed.

The title as read was adopted.

On motion of Senator Brown the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

FEBRUARY 12, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Kellar, of the First German Reform Church. Prayer in German.

The Journal was read in part, and, on motion of Senator Foulke, the further reading was dispensed with.

Engrossed Senate Bill No. 119 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 44.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 132 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Youche and Zimmerman. Total, 43.

Those voting in the negative were: Senator Benz. Total, 1.

So the bill passed.

The title was read.

Senator Sellers from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., beg leave to recommend that the following be adopted as the title to Senate Bill No. 132, to wit: An act to legalize the proceedings of the Board of Commissioner of Brown county, in relation to the purchase and sale of certain real estate.

SELLERS,
Chairman.

Adopted.

The title as amended was adopted.

Engrossed Senate Bill No. 120 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 40.

Those voting in the negative were:

Senators Bailey, Campbell of Hendricks, Huston, Overstreet, Peterson, Smith of Jay, Smith of Delaware. Total, 7.

So the bill passed.

The title was read.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., recommend that the following be adopted as the title of Senate Bill No. 120, to wit: An act to assist in raising funds with which to pay the expenses of County and Township Institutes, defining the duties of County Superintendents in connection therewith, and declaring an emergency.

SELLERS,
Chairman.

Adopted.

The title as amended was adopted.

Engrossed Senate Bill No. 125 was read a third time and put upon its passage.

Senator Campbell, of Hendricks moved that Senate Bill No. 125 do lie on the table for the present.

Carried.

Engrossed Senate Bill No. 129 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Winter and Zimmerman. Total, 43.

Those voting in the negative were:

Senators Davis, Weir and Youche. Total, 3.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 137 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Winter, Youche and Zimmerman. Total, 42.

Senator McClure voting in the negative.

So the bill passed.

The title was read.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report :

MR. PRESIDENT :

Your Committee on Phraseology, etc., to whom was referred Senate Bill No. 137, beg leave to recommend that the words "and declaring an emergency" be added to the title of the bill, and that when said title is so amended it stand as the title of the act.

SELLERS,
Chairman.

Adopted.

The title as amended was adopted.

Engrossed Senate Bill No. 139 was read a third time and put upon its passage.

Senator McCullough moved to recommit Senate Bill No. 139 to the Committee on Organization of Courts, with instructions to so amend the bill as to embrace the eight counties of Randolph, Delaware, Jay, Blackford, Adams, Wells, Huntington and Grant in four Judicial Circuits, instead of five, which latter would be the effect of this bill and Senate Bill No. 74, passed yesterday.

On motion of Senator Fowler the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 12, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair.

Senator Lindley introduced Senate Bill No. 294, entitled :

An act to legalize the construction of the free gravel road in Parke county, Indiana, known as the "Daniel Heath et al. Free Gravel Road," and all estimates of the expense of such construction, and all assessments of taxes made to pay for the same by the Board of Commissioners of said county, and the

acts and proceedings of said Commissioners, and all other officers in relation thereto, and to empower the proper officers of said county to collect said taxes, and reimburse said county therefrom for all money paid out by said county on the contract for such construction, and to legalize the contract made for such construction, and declaring an emergency.

Read a first time and referred to the Committee on Judiciary.

Senator Schloss introduced Senate Bill No. 295, entitled:

A bill for an act concerning the relocation of county seats, and repealing all laws in conflict therewith.

Read a first time and referred to the Committee on County and Township Business.

Senator Magee introduced Senate Bill No. 296, entitled:

An act to amend section 3184, 3185 and 3186 of the Revised Statutes of 1881, on the subject of opening and vacating streets, and declaring an emergency.

Read a first time and referred to the Committee on Judiciary.

Senator Winter introduced Senate Bill No. 297, entitled:

A bill for an act concerning jurors in civil cases.

Read a first time and referred to the Committee on Judiciary.

The President presented the following communication:

MONUMENTAL COMMITTEE,
DEPARTMENT OF INDIANA, G. A. R.

INDIANAPOLIS, February 9, 1885.

To the General Assembly of the State of Indiana:

GENTLEMEN—At the last Encampment of the Department of Indiana, Grand Army of the Republic, a legal organization was effected, in response to a sentiment prevailing among the citizens of the State, expressed privately and publicly, and through many newspapers, to receive contributions and build a suitable monument to the Union Soldiers and Sailors of the late war, and the undersigned were appointed a committee under it for that purpose. We entered promptly and earnestly upon the

work, pursuing it with such vigor as we were able, and now, after twelve months, we have only about \$4,200 subscribed and \$3,000 of this amount paid in to the Treasurer, to show for the effort. This is due to two causes:

1. The old soldiers, when called upon, responded that they had performed their duty in suppressing the rebellion, and that it could not be expected that they should contribute the money to build a monument to themselves and the cause for which they fought.

2. Citizens, when called upon, responded that such a work should be paid for out of the public treasury, so that the burden would fall upon all alike, instead of upon a few generous and patriotic contributors.

This is the condition of the enterprise to-day.

We make no humble appeal to you to furnish the means and build a monument; but we do point to the graves of unknown Indiana soldiers on every battlefield of the late war; to a country saved from disruption, and made unprecedentedly prosperous and the marvel of the world by the valor of the Union Soldier; to the old flag with not one star missing, and then to the Capital of Indiana where there stands not one stone to mark the heroic age of the State, or to commemorate the deeds that have made her famous and brought such blessings to the people. Leaving you to take such action regarding the erection of a monument as your patriotism and public spirit may inspire, we have the honor to be, very respectfully,

GEO. J. LANGSDALE, Greencastle,
 JAMES R. CARNAHAN, Indianapolis,
 GEO. W. JOHNSTON, Indianapolis,
 D. C. MCCOLLUM, Laporte,
 T. W. BENNETT, Richmond,
 Monumental Committee.

Communication was read and referred to the Committee on Military Affairs.

Senator Willard moved the previous question which was seconded.

The question being on Senator McCullough's motion in reference to the recommitting of Senate Bill No. 139.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Davis, Drake, Day, Duncan of Hamilton, Fowler, Hoover, Huston, Johnston, May, McCullough, McIntosh, Null, Overstreet, Rahm, Smith of Jackson, Thompson, Weir and Willard. Total, 18.

Those voting in the negative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of Starke, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Howard, Johnson, Lindley, Macy, Magee, Marshall, Moon, McClure, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jay, Smith of Delaware, Winter, Youche and Zimmerman. Total, 31.

So the motion to recommit was lost.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Hoover, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jay, Smith of Delaware, Winter and Youche. Total, 30.

Those voting in the negative were:

Senators Benz, Day, Drake, Duncan of Tipton, Ernest, Fowler, Huston, Johnston, McCullough, McIntosh, Null, Overstreet, Rahm, Smith of Jennings, Thompson, Weir, Willard, Zimmerman. Total, 18.

So the bill passed.

Title of bill was read, and, on motion, the bill was referred to the Committee on Phraseology, etc., for the purpose of amending said title.

Senator Willard moved that the special order set for this afternoon be postponed until next Monday at same hour.

Carried.

Engrossed Senate Bill No. 159 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Hoover, Howard, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jackson, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 41.

Those voting in the negative were:

Senators Faulkner and Huston. Total, 2.

So the bill passed.

The title as read was adopted.

Senator Hilligass asked leave of absence for Senator Adkinson.

Granted.

Engrossed Senate Bill No. 159 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jackson, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Zimmerman. Total, 43.

Those voting in the negative were:

Senator Youche. Total, 1.

So the bill passed.

The title was read.

Senator Sellers presented the following amendment to the title:

MR. PRESIDENT:

Your Committee on Phraseology, etc., beg leave to recommend that the following be adopted as the title of Senate Bill No. 169, to-wit:

An act to amend section 638 of an act entitled an act concerning proceedings in civil cases, approved April 7, 1881, being section 650 of the Revised Statutes of 1881, and declaring an emergency.

SELLERS,
Chairman.

The title as amended was adopted.

Engrossed Senate Bill No. 174 was read the third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Duncan of Hamilton, Ensley, Faulkner, Foulk, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Schloss, Sellers, Smith of Jackson, Thompson, Willard, Winter, Youche, and Zimmerman. Total, 38.

Those voting in the negative were:

Senators Drake and Shively. Total, 2.

So the bill passed.

Title as read was adopted.

Engrossed Senate Bill No. 180 was read a third time.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of St. Joseph, Davis, Duncan of Tipton, Ensley, Foulke, Fowler, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall,

May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Delaware, Thompson, Winter, Zimmerman. Total, 84.

Those voting in the negative were:

Senators Benz, Campbell of Hendricks, Drake, Faulkner, Smith of Jennings, Willard, Youche. Total, 7.

So the bill passed.

The title as read was adopted.

Senator McIntosh was called to the chair.

By unanimous consent, Senator Adkinson presented a petition in regard to education, which was referred to the Committee on Education.

Engrossed Senate Bill No. 182, was read a third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of Starke, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Youche, and Zimmerman. Total, 42.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Campbell of St. Joseph asked leave of absence for the Prison Committee, for the purpose of allowing them to visit the Southern Prison, until Monday.

Granted.

Engrossed Senate Bill No. 191 was read a third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Fowler, Hilligass, Hoover, Huston, Macy, Magee, Marshall, Moon, McCullough, Null, Overstreet, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter, Youche, and Zimmerman. Total, 30.

Those voting in the negative were :

Senators Benz, Faulkner, Johnson, Johnston, McClure, McIntosh, Peterson, and Willard. Total, 8.

So the bill passed.

The title was read.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report :

MR. PRESIDENT :

Your Committee on Phraseology, etc., to whom was referred Engrossed Senate Bill No. 191, beg leave to recommend that the following be adopted as the title of the same :

An act to restrain the manufacture, sale and use of dangerous explosives, defining certain felonies and prescribing their penalties.

SELLERS,
Chairman.

Adopted.

Title as amended was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 80, empowering Township Trustees to purchase and keep in repair public cemeteries.

Also, House Bill No. 19, in relation to foreign insurance companies doing business in this State.

Also, House Bill No. 95, to legalize the incorporation of the town of Ambia, in Benton county, Indiana.

Also, House Bill No. 100, amending the act establishing public libraries.

Also, House Bill No. 130, to legalize the incorporation of the town of Owensville, Gibson county, Indiana.

Also, House Bill No. 430, for an act to fix the time of holding courts in the Fourth Judicial Circuit.

And the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Engrossed Senate Bill No. 189, was read a third time.

Senator Foulke moved to recommit Engrossed Senate Bill No. 189, to a special committee of three, with instructions to report to-morrow.

Not carried.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Magee, Marshall, Moon, McClure, McCullough, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Willard, Winter and Zimmerman. Total, 39.

Those voting in the negative were:

Senators McIntosh, Overstreet and Youche. Total, 3.

So the bill passed.

The title was read.

Senator Sellers from the Committee on Phraseology, etc., made the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to whom was referred Senate Bill No, 189, beg leave to recommend that the following be adopted as the title of the bill, to-wit:

An act for the incorporation of Union Railway Companies in or near towns or cities where two or more railroads enter, or pass through or near the same town or city, and to thereby facilitate and expedite railroad transfers and other business, to define the powers, duties and liabilities of such companies, and to legalize the existence and acts of such companies heretofore incorporated, and declaring an emergency.

Adopted.

The title as amended was adopted.

Senator Brown, from the committee on examining the journals, presented the following report :

MR. PRESIDENT:

Your committee to whom was referred the inspection of the journal, beg leave to make the following report, viz.: We have examined all journals up to February 12, and find them correct.

ELI W. BROWN,
Chairman.

Concurred in.

On motion of Senator Faulkner, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

FEBRUARY 13, 1885.

Senate met in regular session, Senator Magee in the chair.

Opened with prayer by the Rev. Mr. Bright, of Grace M. E. Church, of Indianapolis.

The journal was read in part, and on motion of Senator Weir, the further reading was dispensed with.

On motion of Senator Willard the special orders of to-day were postponed until 2 p. m.

Concurred in.

Senator Weir moved that the regular order be suspended, and the Committee on Claims be permitted to make reports.

Adopted.

Senator Magee presented a communication from the Superintendent of Public Instruction in regard to the condition of the School Fund, which was read and referred to the Committee on Education.

The communication was read as follows:

MR. PRESIDENT:

In compliance with a recent resolution of the Senate, I herewith transmit a tabular statement of the amounts of the School Funds held in trust by the several counties, and the amounts not loaned in each, together with a summary, showing the number of counties which can loan the funds readily at eight per cent., the number that can not loan readily at eight per cent., the number that advise a reduction in the rate of interest, and other matters.

I have the honor to be,

Very respectfully, yours,

J. W. HOLCOMBE,
Supt. Public Instruction.

Senator Weir, from the Committee on Claims, offered the following report:

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 290, introduced by Senator Smith, of Delaware, would report that they have had the same under consideration, each member thereof having participated therein, and that it is the unanimous opinion of your committee that said bill ought to pass.

M. H. WEIR,
Chairman Committee on Claims.

Senator Weir, from the Committee on Claims, made a report on Senate Bill No. 290, recommending that the same do pass.

Senator Weir, from the Committee on Claims, made a report on Senate Bill No. 201, with amendments, recommending that the same do pass.

Senator Weir, from the Committee on Claims, made a report on Senate Bill No. 177, recommending that the same do pass.

Senator Weir made report on claim of Marion county for use of halls for legislative purposes, recommending that the same do pass.

Senator Winter moved to amend and refer claim to a special committee of three, the committee to be composed of the three Senators from Marion county, and they be instructed to prepare a bill embracing said claim.

Adopted.

Engrossed House Bill No. 74 was read a first time.

Senator Hilligass moved that the constitutional rules be suspended and House Bill No. 74 be read a second time by title, a third time by sections, and placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche, and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Brown, Rahm. Total, 2.

So the constitutional rules were suspended. •

Engrossed House Bill No. 74 being read a second and third time, was placed upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Magee, Moon, McClure, McCullough, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 35.

None voting in the negative.

So the bill passed.

The title as read was adopted as the title of the bill.

Engrossed House Bill No. 19 was read the first time by sections and referred to the Committee on Insurance.

Engrossed House Bill No. 79 was read the first time by sections and referred to the Committee on the Organization of Courts.

Engrossed House Bill No. 80 was read the first time by sections and referred to Committee on County and Township Business.

Engrossed House Bill No. 82 was read the first time by sections and referred to the Committee on County and Township Business.

Engrossed House Bill No. 83 was read the first time by sections and referred to the Committee on the Organization of Courts.

Engrossed House Bill No. 93 was read the first time by sections and referred to the Committee on Rights and Privileges.

Engrossed House Bill No. 95 was read the first time.

Senator Weir moved that the constitutional rule be suspended, the bill read the second time by title, the third time be sections and put upon its passage.

The roll being called resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Adams, Smith of Delaware, Thompson, Weir, Winter, Youche. Total, 36.

None voting in the negative.

So the constitutional rules were suspended.

Engrossed House Bill No. 95 was read a first time by sections, a second time by title, a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Magee, May, Moon, McClure, McCullough, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 34.

None voting in the negative.

So the bill passed.

The title as read was adopted as the title of the bill.

Engrossed House Bill No. 98 was read a first time by sections and referred to the Committee on Judiciary.

Engrossed House Bill No. 100 was read a first time by sections.

Senator Foulke moved that the constitutional rules be suspended, the bill be read a second time by title, a third time by sections, and placed upon its passage.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Macy, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Adams, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 37.

None voting in the negative.

So the constitutional rules were suspended.

Engrossed House Bill No. 100 was read first time by sections, a second time by title, the third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 37.

None voting in the negative.

So the bill passed.

Title as read adopted.

Engrossed House Bill No. 108 was read a first time by sections and referred to Committee on Cities and Towns.

Engrossed House Bill No. 124 was read a first time by sections and referred to the Committee on Judiciary.

Engrossed House Bill No. 125 was read a first time by sections and referred to Committee on Finance.

Engrossed House Bill No. 130 was read a first time by sections and referred to Committee on Cities and Towns.

Engrossed House Bill No. 142, was read a first time by sections.

Senator Smith, of Jennings, moved that the constitutional rules be suspended, the bill read a second time by title, a third time by sections, and placed upon its passage.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ernest, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers Shively, Smith of Jennings, Smith of Adams, Smith of Delaware, Thompson, Weir, Winter, Zimmerman. Total, 36.

Senator Willard voted in the negative.

So the constitutional rules suspended.

Engrossed House Bill No. 142, was read a first time by sections, a second time by title, a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter and Zimmerman. Total, 37.

No one voting in the negative.

So the bill passed.

Title adopted as read.

Engrossed House Bill No. 180 was read a first time by sections and referred to the Committee on Judiciary.

Engrossed House Bill No. 430 was read a first time by sections and referred to the Committee on the Organization of Courts.

Engrossed House Bill No. 25 was read a first time by title, with a report from the Committee on Organization of Courts.

Which report was concurred in.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in Senate Concurrent Resolution No. 15.

Also, that the House requests the return from the Senate to the House of House Bill No. 125.

Also, that the House has concurred in Senate Concurrent Resolution No. 5, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

Engrossed House Bill No. 15, with report of committee, was laid on the table, temporarily.

Engrossed House Bill No. 37 was read the third time and placed upon its passage.

The question being, Shall the bill pass?

The roll being called resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Adams, Smith of Delaware, Thompson, Weir, Willard, Winter, Zimmerman. Total, 36.

No one voting in the negative.

So the bill passed.

The title as read was adopted as the title of the bill.

The special committee on the claim of Marion county for rent of rooms for Legislature, together with bill pending for said claim, made the following report, which was referred to the Committee on Finance :

Senator Duncan, of Brown, moved to take up Senate Bill No. 61 on second reading.

Consent.

Senate Bill No. 61 was taken up, with the report of the committee. The report of the committee was concurred in, the bill read a second time and ordered engrossed.

Senator Foulke made report, by consent of Senate, from special committee of three..

Senator Foulke, from the special committee on Senate Bill No. 28 and Engrossed House Bill No. 70, offered the following report:

MR. PRESIDENT:

Your committee report that they have considered Senate Bill No. 28, and have considered Engrossed House Bill No. 70, relating to the same subject; that they consider it advisable that action be taken upon the House bill, and recommend that the House bill be read a second time as a substitute for the Senate bill, and that the following amendments be added thereto, and with such amendments, that the bill do pass.

H. J. MAY,
FOULKE.

Insert in section 1, line 6, words "from imported," instead of word "improved."

Insert on line 3, section 1, House Bill No. 70, after the word "persons," the words "citizens of the United States."

Insert on line 12, section 1, after the words "capital stock," the words "not to exceed two hundred and fifty thousand dollars."

Insert after the word "names," section 1, line 21, the following words: "Also, the name and place of residence of each stockholder, together with the description and impression of the corporate seal."

Insert in section-2, line 9, after the words "live stock" the following words: "Not to exceed two thousand five hundred head of live stock in all."

Insert after the end of section 2 the following words: "*Provided, however,* That said company shall have no power to purchase or own more than two thousand five hundred acres of land, and shall have no power to lease more than two thousand five hundred acres additional for any longer term than one year."

Add to section 4 the following words: "No increase of capital stock, however, shall be made by which the entire amount of the capital stock shall exceed the sum of two hundred and fifty thousand dollars."

Report of committee concurred in on Senate Bill No. 28 and Engrossed House bill No. 70.

[See report.]

Engrossed House Bill No. 70 was read a second time, and Senator Winter moved the constitutional rule be suspended, the bill read a third time, and placed upon its passage.

Roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Adams, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 34.

Senator Brown voting in the negative.

So the constitutional rules were suspended.

Senator Foulke moved that Engrossed House Bill No. 70 be referred to a special committee of one (Senator Bailey), to report at 2 o'clock P. M. to-day.

Motion carried.

On motion, the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 13, 1885.

Senate met pursuant to adjournment, Senator Magee in the chair.

Senator Magee presented a petition from 2,000 laboring men of Richmond and Logansport.

Which was referred to Committee on Prisons without reading.

The special order was now taken up, which was the consideration of Senate Bill No. 18.

Senator Fowler offered Senate Joint Resolution No. 10, as follows:

A joint resolution proposing an amendment to section 2 of article 7 of the Constitution of the State of Indiana.

Read and referred to the Committee on Judiciary.

House passed and presented a resolution asking the return of House Bill No. 125.

On motion of Senator Foulke, said bill was returned to the House.

The roll was called on Senator Winter's substitute to Senate Bill No. 18, which resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Foulke, Smith of Jay, and Winter. Total, 4.

Those voting in the negative were:

Senators Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Howard, Johnston, Macy, May, Moon, McClure, McCullough, Oversteet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Willard and Zimmerman. Total, 35.

So the motion was lost.

Senator Overstreet offered the following amendment to Senate Bill No. 18, as follows:

Amend section 2 by inserting after the word "affidavit" in line 8 these words, "and the affidavit of two reputable freeholders or householders of the county," and after the word "affidavit" in line 11, "and the affidavit of two reputable freeholders or householders of the county."

Also, strike out the words "three dollars" in line 16, and insert in lieu thereof the words, "one dollar and fifty cents."

Amend also, by striking out section 7 of the bill.

OVERSTREET.

Adopted.

Senator McCullough offered the following amendment to Senator Overstreet's amendment to Senate Bill No. 18:

MR. PRESIDENT:

I move to amend section 2 of Senate Bill No. 18, by inserting in line 10 immediately after the word "act" these words, "stating particularly the locality or localities in which he practiced during said period, and the date and length of time in each locality," and, also, by inserting the same words immediately after the word "act" in line 13 of said section.

Carried.

Senator Howard offered an amendment to Senate Bill No. 18, which was declared out of order.

Senator Davis offered an amendment to Senate Bill No. 18.

Amendment lost.

Senator Willard moved for the previous question.

Carried.

The main question was then put.

The question being, Shall the bill be ordered engrossed?

Carried.

Senator Smith, of Jennings, moved that the constitutional rules be suspended, Senate Bill No. 18 be read a third time by sections, considered engrossed and placed upon its passage.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Howard, Johnston, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Adams, Smith of Delaware, Thompson, Willard and Zimmerman. Total, 34.

Those voting in the negative were :

Senators Davis, Foulke, Huston, Macy and Winter. Total, 5.

So the constitutional rules were suspended.

Senate Bill No. 18 was read a third time, and being considered engrossed, was put upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Brown, Bryant, Day, Duncan of Tipton, Ensley, Ernest, Fowler, Hill, Hilligass, Howard, Macy, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson and Willard. Total, 28.

Those voting in the negative were :

Senators Bailey, Campbell of Hendricks, Davis, Drake, Duncan of Brown, Foulke, Huston, Johnston, Smith of Jay, Winter and Zimmerman. Total, 11.

So the bill passed.

The title was amended by the Committee on Phraseology, and adopted as amended.

Special order was then taken up, the same being the consideration of Senate Bill No. 1, which was read second time, together with report of the committee.

On motion of Senator Foulke further consideration of Senate Bill No. 1 was postponed until next Tuesday at 11 o'clock A. M.

Senator Willard called for the special order, the same being Senate bills on second reading.

Senate Bill No. 8 was read a second time, together with report from committee.

On motion of Senator Willard, the Senate adjourned.

RUFUS MAGEE,
President of the Senate, *pro tem.*

SATURDAY MORNING.

FEBRUARY 14, 1885.

Senate met in regular session at 10 o'clock, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Dr. Lynch, of M. E. Church, Indianapolis.

Journal read in part, and, on motion of Senator Day, the further reading was dispensed with.

Senator Bailey made a report from special committee on House Bill No. 7.

Senator Overstreet moved to amend the report of the committee on House Bill No. 7.

Senator Magee moved that further consideration of House Bill No. 7 be postponed until 2:30 o'clock Monday next, and made special order for that time.

Adopted.

Senator Bryant made report from the Committee on Public Health, on Senate Bill No. 271, and recommend that it do pass.

Senator Willard moved that Senate Bill No. 209 be made a special order for Tuesday at 10 o'clock A. M.

Carried.

Senator Shively asked leave of absence for Senator McCullough.

Granted.

Senator Shively asked leave of absence for Senator Brown.

Granted.

Senator Hilligass moved that Senate Bill No. 88 be made a special order for Tuesday at 10 A. M.

Adopted.

Senator Willard gave notice that on Monday next he would move to amend Rule No. 54 so as to read as follows:

This order of business shall be suspended only upon a two-thirds vote of the Senators present, except that a majority of the Senators present may suspend the order of business to report or take up any appropriation bill.

WILLARD.

Senator Bailey, from the Committee on Corporations, made a report on Senate Bill No. 293, recommending that the same do pass.

Senator Bailey, from the Committee on Corporations, made a report on Senate Bill No. 114, with amendments, recommending that the same do pass.

Senator Bailey, from the Committee on Corporations, made a report on Senate Bill 172, recommending that the same be laid on the table.

Senator Bailey, from the Committee on Corporations, made a report on Senate Bill No. 86, recommending that the same do pass.

Senator Bailey, from the Committee on Corporations, made a report on Senate Bill No. 100, recommending that the same be laid on the table.

Senator Bailey, from the Committee on Corporations, made a report on Senate Bill No. 127, recommending that the accompanying substitute to bill No. 127 do pass.

Senator Bailey, from the Committee on Corporations, made a report on Senate Bill No. 158, recommending that the same be laid on the table.

Senator Bailey, from the Committee on Corporations, made a report on Senate Bill No. 160, recommending that it do pass.

Senator Smith, of Jay, asked leave of absence for Senator Hilligass until next Tuesday at 2 P. M.

Granted.

Senator Foulke, pursuant to notice previously given, moved to change rule No. 1 of the Senate so that the morning session should open at 9:30 o'clock instead of 10 o'clock.

Temporarily withdrawn.

Senator Johnson, from the Committee on Roads, made report on Senate Bill No. 204, recommending that the same do pass.

Senator Schloss, from the Committee on Railroads, made a report on Senate Bill No. 77, recommending that the same do pass.

Senator Duncan, of Brown, from the Committee on Elections, made a report on Senate Bill No. 249, recommending that the same be indefinitely postponed.

Senator Duncan, of Brown, from the Committee on Elections, made a report on Senate Bill No. 219, recommending that it be indefinitely postponed.

Senator Thompson, from the Committee on Temperance, made a report on Senate Bill No. 270, recommending that the same do pass.

Senator Thompson, from the Committee on Temperance, made a report on Senate Bill No. 227, recommending that the same be laid on the table.

Senator Thompson, from the Committee on Temperance, made a report on Senate Bill No. 194, recommending that the same be laid on the table.

Majority and minority reports were presented on Senate Bill No. 190.

Senator Drake, from the Committee on Mines and Mining, made a report on Senate Bill No. 50, recommending that the same do pass.

Senator Shively, from the Committee on Federal Relations, made a minority report on Senate Bill No. 27, recommending that the same do pass.

Senator Shively, from the Committee on Federal Relations, made a minority report on Senate Bill No. 103, recommending that the same do pass.

Senator Bailey, from the Committee on Corporations, made a minority report on Senate Bill No. 172, recommending that said bill do pass.

Senator McIntosh, from the Committee on County and Township Business, made a report on Engrossed House Bill No. 39, recommending that the same do pass.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 206, recommending that it do lie on the table.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 187, recommending that said bill do pass.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 276, recommending that it do pass.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 286, recommending that the same lay on the table.

Senator Day, from the Committee on Railroads, made a report on Senate Bill No. 273, recommending that the same be indefinitely postponed.

Senator Winter introduced Senate Bill No. 299, entitled:

An act appropriating \$3,184.69 to reimburse the city of Indianapolis, on account of money expended by said city in the construction of the sewer from the Reformatory Institution for Women and Girls.

Read the first time, and referred to Committee on Finance.

Senator Adkinson presented a petition, which was referred to the Committee on Education, without reading.

Senator Overstreet presented a petition which was referred to the Committee on Education, without reading.

Senator Adkinson presented Joint Resolution No. 16, which was read and referred to the Committee on Women's Rights.

Senator Fowler offered Resolution No. 1.

Lost.

Senator Willard moved to amend Resolution No. 1.

Motion withdrawn.

Senator Magee moved to lay resolution and amendment on the table.

Lost.

Senator Willard moved to amend Resolution No. 1.

Lost.

Senator Smith of Jennings was called to the chair temporarily.

Senator Day moved to lay Resolution No. 1 and the amendment on the table.

Carried.

Senator Smith of Jennings, from the Committee on the Judiciary, made the following report on Engrossed House Bill No. 7: That said bill be amended, and when so amended, do pass.

Senator Smith, from the Judiciary Committee, on Senate Bill No. 17, recommended that the bill do pass.

Senator Smith, of Jennings, from the Judiciary Committee, made the following report on Senate Bill No. 265: That said bill do lay on the table.

Senator Smith, of Jennings, from the Judiciary Committee, made report as follows on Senate Bill No. 260: That said bill do lay on the table.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 275: That it do lie on the table.

Senator Smith, of Jennings, from the Judiciary Committee, made report on Senate Bill No. 251 as follows: That said bill be amended and then passed.

Senator Smith, of Jennings, from the Judiciary Committee, made a report on Senate Bill No. 233 as follows: That said bill do lay on the table.

Senator Smith, of Jennings, from the Judiciary Committee, made the following report on Senate Bill No. 259: That said bill be amended, and as amended to pass.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Engrossed House Joint Resolution No. 1: That said resolution be amended, and when amended do pass.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 260: That said bill do lay on the table.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 241: That said bill do lay on the table.

Senator Smith, from Judiciary Committee, made the following report on Senate Bill No. 263: That said bill do lay on the table.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 41: That said bill do lie on the table.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 14: That said bill do lie on the table. ●

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 144: That said bill do lay on the table.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 250: That said bill do lay on the table.

Senator Smith, of Jennings, from the Committee on Judiciary, made the following report on Senate Bill No. 240: That said bill do lie on the table.

Senator Smith, of Jennings, from the Judiciary Committee, made the following report on Senate Bill No. 252: That said bill do lie on the table.

Senator Smith, from the Judiciary Committee, made the following report on Senate Bill No. 192: That said bill do pass.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 66: That said bill do pass.

Senator Smith, from the Judiciary Committee, made the following report on Senate Bill No. 43: That said bill do pass.

Senator Smith, from the Judiciary Committee, made the following report on Senate Bill No. 211: That said bill do pass.

Senator Smith, of Jennings, made the following report from the Judiciary Committee, on Senate Bill No. 235: That said bill do pass.

Senator Smith, of Jennings, made the following report from the Judiciary Committee on Senate Bill No. 258: That said bill do pass.

Senator Smith, of Jay, offered a substitute for the Judiciary Committee's report on Senate Bill No. 14.

Senator Willard moved that when the Senate adjourn at noon it do so until 10 A. M. Monday.

Lost.

Senator Smith, of Jay, moved that when Senate adjourn it be until 2 P. M. Monday.

Which motion was lost.

Senator Magee moved that the Senate hold this afternoon; that the business of the session be for the introduction of bills, petitions and resolutions.

Carried.

Senator Smith, of Jay, from the Committee on the Organization of Courts, made report on Engrossed House Bill No. 72, recommending that the same be indefinitely postponed.

Senator Smith, of Jay, from the Committee on the Organization of Courts, made report on Senate Bill No. 269, recommending that the same do pass.

Senator Smith, of Jay, from the Committee on the Organization of Courts, made report on Senate Bill No. 245, recommending that the same be laid on the table.

On motion of Senator Sellers the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 14, 1885.

Senate met pursuant to adjournment, Senator Sellers in the chair.

Senator Adkinson introduced Senate Bill No. 300, entitled:

An act providing for the taxation of certain insurance companies doing business within the State of Indiana.

Read first time and referred to Committee on Insurance.

Senator Bryant introduced Senate Bill No. 301, entitled :

A bill to amend section 6 of an act concerning highways and supervisors thereof.

Read first time and referred to Committee on Roads.

Senator Campbell of Hendricks introduced Senate Bill No. 302, entitled :

A bill for an act to amend section 9 of an act entitled an act approved March 10, 1873, and to repeal section 11 of said act.

Read a first time, and referred to the Committee on Judiciary

Senator Drake introduced Senate Bill No. 303, entitled :

An act to amend section 15 of an act to amend section 115 of an act providing for the settlement of decedents' estates, approved March 7, 1883.

Read a first time, and referred to the Committee on Judiciary.

Senator Day introduced Senate Bill No. 304, entitled :

An act providing local Boards of Health with power to remove and place in county hospitals all cases of infectious or contagious diseases and to provide hospitals.

Read a first time, and referred to the Committee on Public Health and Vital Statistics.

Senator Drake, by request, introduced Senate Bill No. 305, entitled :

An act for an act to pay the claims of Teresa and Charles Bachtell, and appropriating money therefor, and declaring an emergency.

Read a first time, and referred to the Committee on Claims.

Senator Drake introduced Senate Bill No. 306, entitled :

An act prohibiting boards of County Commissioners and Township Trustees from levying a road or township tax on property within incorporated towns, repealing conflicting laws, and declaring an emergency.

Read a first time, and referred to the Committee on Judiciary.

Senator Ensley introduced Senate Bill No. 307, entitled :

An act to amend sections 11, 12, 13, 29, 47, 50, 62, 63, 64, 67, 68, 70, 75, 76, 77, 80, 84, 85, 86, 87, 88, 89, 92, 93, 97, 99, 105, 109, 117, 121, 126, 129, 1, 148, 153 and 177 of an act entitled an act for the uniform assessment of real and personal property, and for the return of taxes thereon, approved March 29, 1881.

Read a first time, and referred to the Committee on County and Township Business.

Senator Fowler introduced Senate Bill No. 308, entitled :

An act to abolish the office of Adjutant General and Quartermaster General, transferring all records, books, papers and all other property of said offices to the office of Secretary of State, defining his duties, providing compensation, repealing all laws in conflict with the provisions of this act, and declaring an emergency.

Read a first time, and referred to the Committee on Military Affairs.

Senator Fowler offered the following Resolution No. 2:

WHEREAS, There is great inequality in the labor required of the Circuit Judges in this State; and

WHEREAS, Many bills are now pending before the General Assembly for the creation of new circuits; and

WHEREAS, It is inexpedient to create new and additional circuits and entail additional expense upon the State, if the labor of the present judges can be so equalized as to enable the present Circuit Court judiciary to transact the business of the Circuit Courts without delay and with reasonable dispatch; therefore be it

Resolved, That a committee of nine Senators, holding over, be appointed by the chair, to serve without compensation, to take into consideration the inequality of the Circuit Court districts, and as far as can be to equalize the labor in the several judicial circuits of the State, and that said committee make report to the next General Assembly by bill or otherwise.

FOWLER.

Which was read and made a special order of business for 11.30 next Monday.

Senator McIntosh presented a petition in regard to Ditch Law, which was read and referred to the Committee on Swamp Lands.

Senator Benz introduced Senate Bill No. 309, entitled:

An act to amend sections 2, 9, 10 and 11 of an act establishing a State Board of Health, defining its purpose, powers and duties, providing a system of registration, and report of vital and sanitary statistics in connection therewith, approved March 7, 1881.

Read first time and referred to Committee on Public Health and Vital Statistics.

Senator Campbell, of Hendricks, introduced Senate Bill No. 310, entitled:

An act authorizing and empowering Boards of County Commissioners to provide for the payment of interest on bonds issued by counties in this State, in annual or semi-annual installments, and declaring an emergency.

Read first time and referred to Committee on County and Township Business.

Senator Ensley introduced Senate Bill No. 311, entitled:

An act to amend section 8 of an act entitled an act to provide for a more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, approved March 4, 1873.

Read first time and referred to Committee on County and Township Business.

Senator Day introduced Senate Bill No. 312, entitled:

An act to provide employes and to regulate the pay of the same for the General Assembly of the State.

Read first time and referred to Committee on Fees and Salaries.

Senator Adkinson introduced Senate Bill No. 313, entitled:

A bill for an act entitled, an act to build a new Soldiers' Orphans' Home, for the care, education and instruction of the

orphans of soldiers and sailors of the State of Indiana, and to separate them and their home from that of the home of the feeble-minded children of the State of Indiana, and appropriating money for building the same, and providing for the appointments of Trustees and Superintendent for the same, and repealing all laws in conflict with the same.

Read the first time and referred to the Committee on Public Buildings.

Senator Bailey introduced Senate Bill No. 314, entitled :

A bill for an act to prohibit the importation and immigration of foreigners and others under contract or agreement to perform labor within the State of Indiana, and declaring an emergency.

Read first time and referred to the Committee on Labor and Labor Statistics.

Senator May presented a petition, which was referred to the Committee on Education without reading.

Senator Ensley presented a petition, which was referred to the Committee on Education, without reading.

Senator Thompson, presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Duncan asked leave of absence for Senator Smith, of Delaware.

Granted.

On motion, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

FEBRUARY 16, 1885.

Senate met in regular session, Lieutenant-Governor Manson in the chair.

Opened with prayer by the Rev. Dr. Hoehn, of the Lutheran church, of Indianapolis. (Prayer in German.)

The journal was read in part, and on motion of Senator McIntosh, the further reading was dispensed with.

Senator McIntosh offered the following resolution :

Resolved, That the Committee on Swamp Lands and Drains be directed to prepare and introduce a bill to repeal an act concerning drainage, approved April 8, 1881, the same being sections 4273, 4274, 4275, 4276, 4277, 4278, 4279, 4280, 4281, 4283, 4284, of the Revised Statutes of 1881, and all laws in connection therewith.

McINTOSH.

Senator Sellers moved to make resolution No. 1, as offered by Senator McIntosh, a special order for 2 o'clock P. M. next Thursday.

Which motion carried.

Senator Willard moved to reconsider the vote by which Senate Bill No. 189 passed the Senate.

Carried.

Senator Willard's motion to amend Senate Rule No. 54, of which he gave notice last Saturday, was taken up and on being put to a vote was lost.

Senator Willard gave the following notice :

MR. PRESIDENT:

I hereby give notice that on to-morrow (Tuesday) morning I will move to strike out the words "two-thirds" in rule 54, and insert in lieu thereof the words "majority."

WILLARD.

Senator Winter presented a petition which was referred to the Committee on Education, without reading.

Senator Faulkner presented a petition which was referred to the Committee on Education, without reading.

Senator Lindley presented a petition which was referred to the Committee on Public Health, without reading.

Senator Macy presented a petition which was referred to the Committee on Education, without reading.

Senator Macy presented a petition which was referred to the Committee on Public Health, without reading.

Senator Hoover from the Committee on Elections, report that a majority of your Committee on Elections report that said committee have had under consideration Senate Bill No. 173, introduced by Senator Marshall, and recommend that said bill do pass.

HOOVER,

Chairman.

JAMES HILL,

C. C. DUNCAN,

J. S. DRAKE,

NICHOLAS ENSLEY.

Senator W. C. Duncan made a minority report from Committee on Elections, on Senate Bill No. 173, and recommend that said bill lay on the table.

W. C. DUNCAN.

Both majority and minority reports ordered printed.

Senator Foulke, from the Committee on the Judiciary, made a report on Senate Bill No. 272, with amendments, recommending that the same do pass.

Senator Johnson, from the Committee on Roads, made a report on Senate Bill No. 261, with amendments, recommending that the same do pass.

Senator Faulkner, from the Committee on Prisons, made a report on Senate Bill No. 164, with amendments, recommending that the same do pass.

Senator Faulkner, from the Committee on Prisons, made a report on Senate Bill No. 254, recommending that the same do pass.

Senator Faulkner, from the Committee on Prisons, made a report on Senate Bill No. 274, recommending that the same do pass.

Senator Faulkner, from the Committee on Prisons, made a report on Senate Bill No. 55, recommending that the same do lay on the table.

Senator Bryant, from the Committee on Public Health, made a report on Senate Bill No. 168, recommending that the same do lay on the table.

Senator Duncan, from the Committee on Education, made two reports on Senate Bill No. 10, recommending that the first report do lay on the table, and the second report recommends that said bill do pass.

Senator Foulke moved that Senate Bill No. 60 be made a special order for next Friday at 10 o'clock A. M.

Carried.

Senator Smith, of Jennings, offered the following resolution:

Resolved by the Senate, the House of Representatives concurring,
That March 2, 1885, be fixed as the day for final adjournment
of the 54th General Assembly. SMITH, of Jennings.

Lost.

Senator Willard moved that Joint Resolution No. 10 be made a special order for Wednesday, February 24.

Lost.

Senator Foulke called up his motion previously offered in regard to changing rule of the Senate from meeting at 10 o'clock A. M. to 9:30 o'clock A. M. On suggestion of Senator Willard, temporarily withdrawn.

Lieutenant-Governor Manson arose to a question of personal privilege, and had an article printed in a newspaper in regard to the expenses of the Senate and the numerous employes of the present Senate, and asked that the Senate, by resolution, have appointed a committee of investigation in regard to the matter.

Senator Foulke moved that a committee of three Senators be appointed on such investigation.

Senator Willard moved to amend by making committee five.
The motion as amended carried.

Senator Bryant moved that Senate Bill No. 110 be made a special order for to-day at three o'clock.

Carried.

Senator Bailey offered the following concurrent resolution :

Resolved by the Senate, the House of Representatives concurring,
That our Senators in Congress are hereby instructed and our Representatives requested to use all honorable influence in securing the passage of a law establishing a Government postal telegraph system.

Read first time and referred to Committee on Labor.

Senator Duncan, of Brown, introduced, by request, Senate Bill No. 315, entitled :

An act in relation to the School Boards of counties and incorporated cities, defining a portion of their powers and duties, repealing all laws in conflict therewith, and declaring an emergency.

Read the first time and referred to Committee on Education.

Senator Campbell, of Hendricks, introduced Senate Bill No. 316, entitled :

An act concerning the employment of short-hand reporters, regulating their duties, and providing that the original long-hand manuscript report of evidence may be used on appeal in certain cases.

Read the first time and referred to Committee on Judiciary.

Senator McIntosh introduced Senate Bill No. 317, entitled :

An act to repeal an act entitled "An act establishing a State Board of Health, defining its purposes, powers and duties," etc., approved March 7, 1881, being sections 4986 to 5000, inclusive, of the Revised Statutes of 1881.

Read first time and referred to Committee on Public Health and Vital Statistics.

Senator Overstreet introduced Senate Bill No. 318, entitled :

An act to amend section 19 of the fee and salary law, approved March 31, 1879, being section 5857 of the Revised Statutes of 1881, and declaring an emergency.

Read the first time and referred to Committee on Fees and Salaries.

Engrossed House Concurrent Resolution No. 13 was read, and on motion was adopted.

Engrossed House Joint Resolution No. 1 was read, and on motion of Senator Campbell of Hendricks, the amendment offered by the committee was adopted.

Senator Campbell of St. Joseph offered the following amendment to House Joint Resolution :

MR. PRESIDENT :

I move to strike out the words from the resolution, and no person shall be eligible to either of said offices more than four years, or one term in any period of eight years.

M. CAMPBELL.

Motion lost.

Senator Macy offered the following amendment to the report of committee on House Joint Resolution No. 2: *Provided*, That in case of the appointment of any one of such officers to fill any vacancy therein, such appointee shall be appointed to hold only to the first of January succeeding the next general election after such vacancy occurs.

J. W. MACY.

Carried.

Senator Sellers offered the following amendment :

MR. PRESIDENT :

I move to amend the report of the committee on Joint Resolution No. 1 by adding after the word "Surveyor," the words "and Clerk."

Lost.

Engrossed House Joint Resolution No. 1 was ordered engrossed.

The chair appointed the following special committee of five on the investigation of the charges in regard to Senate officers and employes, as follows :

Senators May, Willard, Duncan of Brown, Campbell of St. Joseph and Huston.

The special order, set for 11:30 o'clock to-day, was called up, the same being Senator Fowler's resolution in regard to the appointment of a committee of nine Senators to investigate the work of Judicial Circuits, which resolution read as follows, to wit :

Resolved, That a committee of nine Senators holding over be appointed by the Chair, to serve without compensation, to take into consideration the inequality of the Circuit Court Districts, and, as far as can be, to equalize the labor in the several Judicial Circuits of the State, and that said committee make report to the next General Assembly, by bill or otherwise.

Adopted.

FOWLER.

Senator Winter offered the following amendment to Senate Resolution No. 2:

Amend by inserting after the word State the following: And to provide for grading the salaries of the Judge according to population of the Circuits and necessary services required.

Adopted.

Senator Marshall introduced Senate Bill No. 319, entitled:

A bill for an act abolishing pool tables, or other gaming tables, cards, dice, or other gaming device, from saloons or adjoining rooms under control of saloon keepers.

Read first time and referred to Committee on Temperance.

Senator Smith, of Delaware, introduced Senate Bill No. 820, entitled:

A bill for an act to pay the claims of George H. Fleming, C. T. Nixon and Orson N. Tyler, for work done for the State in the preparation and publication of the Revised Statutes of 1881, making appropriation therefor, and declaring an emergency.

Read the first time and referred to Committee on Claims.

Senate Bill No. 8, together with the committee reports, was read second time.

Senator Duncan, of Brown, moved that Senate Bill No. 8, be made a special order for Tuesday at 10:30 o'clock A. M.

Carried.

Senate Bill No. 11 was read a second time, together with committee reports, the reports of the committee concurred in and the bill ordered engrossed.

Senator Faulkner moved that Senate do now adjourn.

Carried, and Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 16, 1885.

Senate met pursuant to adjournment, Lieutenant-Governor Manson in the chair.

Senator Willard introduced Senate Bill No. 321, entitled:

A bill for an act to provide for the government of the various educational institutions of the State.

Read the first time and referred to Committee on Education.

Senator Sellers asked leave of absence for Senator Zimmerman for an indefinite period.

The time having arrived for the special order for 2 o'clock, it was taken up, the same being the consideration of Senate Bill No. 89.

Senate Bill No. 89 was read a second time, together with the following report of the Committee on County and Township Business.

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Senate Bill No. 89, introduced by Senator Macy, report that we have had the same under consideration, and recommend that the same do pass.

McINTOSH,
Chairman.

Senator Bailey moved that Senate Bill No. 89, together with report of the committee do lie on the table.

Senator Overstreet was called to the chair temporarily.

Senator Willard moved the previous question.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Duncan of Brown, Faulkner, Hilligass, Howard, Magee, May, McClure, Null, Schloss, Sellers, Shively, Smith of Jennings, Willard. Total, 15.

Those voting in the negative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McIntosh, Overstreet, Richardson, Smith of Delaware, Thompson, Winter. Total, 27.

So the previous question was not seconded.

Senator Magee moved that Senate Bill No. 89 be recommitted to a special committee of three, said committee to report to-morrow at 2 o'clock P. M.

Carried.

The President appointed the following committee: Senators Magee, Macy and McIntosh.

The special order for 2 p. m. to-day, being Senate Bill No. 185, was changed until 8 o'clock p. m. to-morrow, and said bill was ordered printed.

Senator Johnson, by unanimous consent, called up Engrossed House Bill No. 15.

Engrossed House Bill No. 15 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Stark, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, Overstreet, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Willard, Winter, Total, 34.

Those voting in the negative were:

Senators Campbell of Hendricks, Faulkner, Fowler, McClure, McIntosh, Null. Total, 6.

So the bill passed.

Title read and adopted.

Senate Bill No. 110 was taken up as the special order for this hour—three o'clock.

Senate Bill No. 110 was read a second time, together with the following report of the Committee on Public Health and Vital Statistics:

MR. PRESIDENT:

Your Committee on Public Health and Vital Statistics, to whom was referred Senate Bill No. 110, introduced by Senator Bryant, have had the same under consideration, and recommend that it do pass.

D. C. BRYANT,
Chairman.

Report concurred in.

Senator Sellers offered the following amendment:

MR. PRESIDENT:

I move to amend section 11 of Senate Bill No. 110 so as to read as follows:

SEC. 11. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Adopted.

Senator Campbell of St. Joseph offered the following amendment:

MR. PRESIDENT:

I move that in line 14 of section 1 the word "country" be stricken out.

Adopted.

Senator Sellers moved that Senate Bill No. 110 be engrossed.
Carried.

Senator May asked leave of absence for Senator Sellers until next Thursday.

Granted.

On motion of Senator Hilligass, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

FEBRUARY 17, 1885.

Senate met in regular session, Senator Magee in the chair.

Opened with prayer by the Rev. N. A. Hyde, of the Congregational Church, of Indianapolis.

Journal read in part, and on motion of Senator Foulke the further reading was dispensed with.

Senator Smith of Delaware presented several petitions, which were referred to the Committee on Public Health and Vital Statistics without reading.

Senator Faulkner presented a petition, which was referred to the Committee on Public Health and Vital Statistics without reading.

Senator Duncan of Brown presented a memorial, which was referred to the Committee on Education without reading.

Senator Sellers presented a petition, which was referred to the Committee on Public Health and Vital Statistics without reading.

Senator Fowler presented a petition, which was referred to the Committee on Public Health and Vital Statistics without reading.

Senator Foulke presented a petition, which was referred to the Committee on Education without reading.

The hour having arrived for the special order for this morning at 10 o'clock, being Senate Bill No. 290, the same was taken up.

Senate Bill No. 290 was read a second time, together with the following report of the Committee on Claims.

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 290, introduced by Senator Smith of Delaware, would report that they have had the same under consideration, each member thereof having participated therein, and that it is the unanimous opinion of your committee that said bill ought to pass.

M. H. WEIR,
Chairman.

Report concurred in.

Senator Willard offered the following amendment to Senate Bill No. 290, to wit:

MR. PRESIDENT:

I move to amend section 1, in line 7, of printed bill, by striking out the word "par" and insert the words at current market rates, but not less than par.

Senator Fowler moved, that special order set for 3 p. m. to-day, be postponed until 2 o'clock p. m. Thursday.

Carried.

Senator Adkinson moved, that Senate Bill No. 290, be re-committed to a special committee of three.

Lost.

Senator Smith, of Jennings, moved to recommit Senate Bill No. 290, to the Committee on Judiciary.

Lost.

Senator Faulkner moved, to lay on the table Senate Bill No. 290, together with the amendments.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Hill, Johnson, Johnston, May, McClure, McIntosh, Null, Richardson, Sellers, Shively, Smith of Jennings. Total, 19.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Brown, Ensley, Foulke, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, Overstreet, Rahm, Schloss, Smith of Delaware, Thompson, Willard and Winter. Total, 22.

So the motion was lost.

Senator Willard moved that the bill be recommitted to the Committee on Claims.

Carried.

Senator Campbell, of Hendricks, asked leave of absence for Senator Fowler until to-morrow morning.

Granted.

The special order set for 11 o'clock a. m. to-day was called up.

The same being the consideration of Senate Bill No. 1.

On motion of Senator Adkinson, Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 17, 1885.

The Senate met pursuant to adjournment, Senator Magee in the chair.

The special order being the discussion of Senate Bill No. 1 was resumed.

The question being, Shall Senate Bill No. 1 be engrossed?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, Overstreet, Peterson, Smith of Delaware, Willard and Winter. Total, 24.

Those voting in the negative were:

Senator Benz, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Johnston, May, McClure, McIntosh, Null, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson. Total, 18.

So the motion was concurred in and the bill ordered engrossed.

The President announced that he had signed Enrolled House Bills Nos. 100, 74, 15, 37, 142 and 95.

The following message was received from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 182, for an act concerning taxation.

Also, Senate Bill 115, for an act to legalize the incorporation of the town of New Haven, in Allen county.

Also, Senate Bill No. 154, to legalize the incorporation of the town of Alamo, Montgomery county, Indiana.

And the same are herewith transmitted to the Senate.

HENRY C. DARNELL,
Principal Clerk.

The following report was presented from the committee appointed on Senate Bill No. 89:

MR. PRESIDENT:

Your special committee, to whom was referred Bill No. 89, recommend that the following amendments be made thereto by inserting in line 17, on page 2, printed bill, after the word "also," the following: "At the end of each year pay into the State Treasury all fees or other sums of money which have remained unclaimed for one year after payment of the same, which fees or other sum of money may be reclaimed from the State Treasury by the person entitled thereto upon the warrant of the Auditor of State, to be issued upon proof being made to his satisfaction of the identity of such person;" and by inserting in line 28, immediately after the word "person," the following: "Having fees taxed for or against him on any such fee-book, cash-book or register, or any person legally authorized by any such person so interested as aforesaid;" and strike out all of section 2, on page 2, after the word "dollars," in line 32, and that when so amended the same do pass.

MAGEE,
MACY,
McINTOSH.

Report concurred in and bill ordered engrossed.

The hour having arrived for the special order, the same being Senate Bill No. 88, the same was taken up.

Senator Hilligass offered the following amendment to Senate Bill No. 88:

That section 1 be amended to read as follows:

Section 1. *Be it enacted by the General Assembly of the State of Indiana, That all able-bodied male citizens of this State, between the ages of eighteen (18) and forty-five (45) years, except such as are expressly exempted by the laws of the United States, shall be enrolled in the militia of this State.*

Adopted.

Senator Hilligass offered the following amendment to Senate Bill No. 88:

That section 58 be amended to read as follows: Section 58. Whenever there shall be in any town, city or county, any tumult, riot, mob or any body of men acting together by force, with intent to commit any felony or misdemeanor, or to offer violence to any person or persons, or property, or by force and violence to break and resist the laws of this State, or the laws or authorities of the United States; or any such tumult, riot or mob shall be threatened, and the fact shall be made to appear to the Governor, he may issue his order, directing the senior or other military officers convenient to the scene of disturbance, to turn out such portion of his or their command as may be necessary to quell, suppress or prevent such tumult or riot, or threatened tumult or riot. And, by such order, the officer to whom it shall be directed shall be fully empowered to use such measures as, in his judgment, be necessary to quell, suppress or prevent such tumult, riot or mob, and to prevent the perpetration of any felony or act of violence; and no officer, non-commissioned officer or enlisted man, while in such active service, shall be liable to any action, civil or criminal, in any Court, for any act committed within the scope of his orders or duty, and in obedience thereto.

Adopted.

Senator Winter offered the following amendment to the amendment offered by Senator Hilligass to Senate Bill No. 88:

Innsert in line 9, after the word "empowered," the words "under the orders and direction of the proper civil authorities," and strike out the words "in his judgment."

Adopted, and amendment as amended was adopted.

Senator Hilligass offered the following amendment to Senate Bill No. 88:

That section 55 be amended to read as follows: Section 55. The organizations of the Indiana Legion shall perform not more than eight consecutive days of camp duty in each year if required by the Governor; and he shall prescribe the time and manner of assembling the troops for that purpose, but such encampment shall be at some time during the months of June,

July, August or September, and the encampment may be by battalions, regiments, brigades, or by division. While in camp the troops shall be reviewed, and shall be thoroughly exercised in military drill, and in the routine of camp duty, and the several commands shall be inspected and mustered by the Inspector General as provided in this act.

Adopted.

Senator Hilligass offered the following as a substitute for Senator Smith's amendment to Senate Bill No. 88:

That section 73 be stricken out, and that there be substituted in lieu thereof the two following sections:

SEC. 73. There is hereby appropriated annually, as a continuing appropriation, out of any funds in the treasury not otherwise appropriated, a sum, not exceeding ten thousand dollars in any one year, sufficient to pay the sum of twelve dollars once during each term of muster of three years, to each person mustered into the active militia, to be used for the purchase of uniform for such person. Said sums shall be paid to the commanding officers of the respective companies and batteries, in manner and under regulations to be prescribed by the Governor, and shall, under regulations, also prescribed by him, be accounted for by such officers. The uniforms so purchased shall be the property of the State, and shall be accounted for as such.

SEC. 74. In addition to the foregoing appropriation, there is also hereby appropriated out of any funds in the treasury not otherwise appropriated, the further sum of ten thousand dollars per annum, to be used in defraying the expenses of militia encampments, the pay of the active militia in active service and in camp, and for the purpose of carrying into effect all other provisions of this act. Said appropriation shall be known as the military fund of the State, and shall be disbursed by warrants drawn by the Auditor of State on the Treasurer of State, upon proper vouchers approved by the Governor, and audited as herein provided.

Senator Hilligass moved the previous question, which was seconded.

Senator Hilligass asked for a division of the question, which was granted.

The question then being on the adoption of section 73.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, Null, Overstreet, Peterson, Richardson, Sellers, Smith of Delaware, Willard and Winter. Total, 28.

Those voting in the negative were :

Senators Bailey, Benz, Ernest, Faulkner, May, McClure, McIntosh, Rahm, Smith of Jennings, Smith of Jay and Thompson. Total, 11.

So the substituted section 73 was adopted.

The question being on section No. 74, the ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Duncan of Hamilton, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, Overstreet, Peterson, Smith of Delaware, Willard and Winter. Total, 22.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Bryant, Drake, Duncan of Brown, Ernest, Faulkner, May, McClure, McIntosh, Null, Rahm, Richardson, Sellers, Smith of Jennings, Smith of Jay, and Thompson. Total, 18.

So the section was adopted.

The question being, Shall the bill as amended be engrossed ?

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley,

Foulke, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, Null, Overstreet, Peterson, Rahm, Smith of Delaware, Willard and Winter. Total, 26.

Those voting in the negative were :

Senators Bailey, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, May, McClure, McIntosh, Richardson, Sellers, Smith of Jennings, Smith of Jay, and Thompson. Total, 14.

So the bill was ordered engrossed.

On motion of Senator Willard the Senate adjourned.

RUFUS MAGEE,
President of the Senate *pro tem*.

WEDNESDAY MORNING.

FEBRUARY 18, 1885.

Senate met in regular session, Senator Magee in the chair.

Opened with prayer by the Rev. Mr. Bradley, of Christ's Church, Indianapolis.

The journal was read in part, and on motion of Senator May the further reading was dispensed with.

Senator Willard moved to suspend the regular order of business, and reported back from the Committee on Finance Engrossed House Bill No. 327, and asked that it be printed and made a special order for to-morrow morning at 10 o'clock, and to be considered by the Senate as a Committee of the Whole.

Carried.

Senator Day introduced the following Concurrent Resolution:

Whereas, There is now present in this city the society of Mexican Veterans; and,

Whereas, The General Assembly desires to testify its respect for the members thereof; therefore be it

Resolved by the Senate, the House of Representatives concurring,
That the members of the Association be invited to seats on the floor of the Senate and House.

Adopted.

Engrossed Senate Bill No. 11 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Hill, Hoover, Johnson, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Willard, Youche and Zimmerman. Total, 35.

Those voting in the negative were:

Senators Brown, Faulkner, and Smith of Jay. Total, 3.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 61 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hoover, Huston, Johnson, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Zimmerman. Total, 37.

Those voting in the negative were :

Senators Campbell of Hendricks, Davis, Youche. Total, 3.

So the bill passed.

The title was read.

Senator Sellers offered the following amendment to the title:

MR. PRESIDENT:

I move that the following be adopted as the title of Senate Bill No. 61: "An act concerning County Commissioners, regulating the term of office thereof, and declaring an emergency."

SELLERS.

Adopted, and title as amended adopted.

Engrossed Senate Bill No. 110 was read a third time and put upon its passage.

The question being, Shall the bill pass:

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Duncan of Tipton, Ensley, Johnson, Magee, May, Moon, Peterson, Rahm, Schloss, Sellers, Shively, and Smith of Jennings. Total, 18.

Those voting in the negative were:

Senators Benz, Davis, Drake, Ernest, Faulkner, Foulke, Hill, Hoover, Huston, Johnston, Lindley, Marshall, McClure, McCullough, McIntosh, Null, Overstreet, Richardson, Smith of Randolph, Thompson, Youche and Zimmerman. Total, 22.

So the bill did not pass.

Engrossed Senate Bill No. 125 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative, were :

Senators Adkinson, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill,

Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, Moon, McIntosh, Overstreet, Peterson, Shively, Smith of Jay, Smith of Delaware, Thompson, Youche and Zimmerman.
Total, 32.

Those voting in the negative were:

Senators Bailey, Benz, Johnson, May, McClure, Null, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, and Willard.
Total, 12.

So the bill passed.

The title as read was adopted.

Senator Foulke moved that the bills ordered engrossed on yesterday, and now ordered engrossed, be taken up and read this afternoon.

Carried.

Engrossed House Bill No. 7 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on the Judiciary has had under consideration Engrossed House Bill No. 7, a bill to amend section thirty-eight of an act entitled. an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852, and the committee direct me to report the same back to the Senate and recommend that it be amended as follows: In the latter part of section one, between the words "made" and "file," substitute "*shall*" for "will;" after the word "showing" substitute "*that*" for "what," strike out the words "its materiality" and substitute the words "from him by reason of the amendment." Strike out the word "now" and at the end of said section add the words "at the time originally set for trial," and committee further recommend that when so amended the bill do pass.

McCULLOUGH,
Chairman.

Report concurred in and bill ordered not to be printed.

Senator Sellers moved that Engrossed House Bill No. 7 be recommitted to the Committee on Phraseology.

Carried.

Engrossed House Bill No. 17 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on the Judiciary has had under consideration Engrossed House Bill No. 17—a bill to legalize the appointments and acts of trustees in certain cases—and the committee directs me to report the same back to the Senate, with the recommendation that it pass.

McCULLOUGH,
Chairman.

Concurred in.

Senator McCullough moved that all House bills on second reading be ordered printed.

Carried by consent.

Engrossed House Bill No. 39 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 39, report that we have had the same under consideration, and recommend that said bill do pass.

McINTOSH,
Chairman.

Concurred in.

Engrossed House Bill No. 49 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Engrossed House Bill No. 49, a bill to amend section 740 of the Civil Code (section 1204 of the Revised Statutes), and the committee instructs me to report the same back to the Senate, and recommend that it do pass.

McCULLOUGH,
Chairman.

Report concurred in.

Engrossed House Bill No. 72 was read a second time, together with the following majority and minority reports :

MR. PRESIDENT :

Your Committee on the Organization of Courts, to whom was referred Engrossed House Bill No. 72, for an act to amend section 7 of an act entitled "An act providing for the election and prescribing certain duties of the Clerk of the Supreme Court," approved May 13, 1852, being section 5880 of the Revised Statutes of 1881, have had the same under consideration, and a majority of the committee direct me to report said bill to the Senate with the recommendation that the same be indefinitely postponed.

JOHN M. SMITH,
Chairman.

MR. PRESIDENT :

The undersigned, a member of your Committee on the Organization of Courts, to whom was referred Engrossed House Bill No. 72, for an act to amend section 7 of an act entitled an act providing for the election and prescribing certain duties of the Clerk of the Supreme Court, approved May 13, 1852, being section 5880 of the Revised Statutes of 1881, having had the same under consideration, begs to recommend that the same do pass.

MACY.

Senator Campbell of Hendricks moved that the minority report be substituted for the majority.

Senator Macy moved that further consideration of the bill be postponed.

Senator Sellers moved to lay Senator Campbell's motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Day, Duncan of Brown, Faulkner, Johnson, Johnston, Magee, May, McClure, McCullough, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Willard, Zimmerman. Total, 22.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Ernest,

Foulke, Hill, Huston, Lindley, Macy, Marshall, Moon, McIntosh, Overstreet, Richardson, Smith of Jay, Smith of Delaware. Total, 20.

So the motion was carried.

Senate Bill No. 12 was read the second time, together with the following report of the committee:

MR. PRESIDENT:

Your committee to which was referred Senate Bill No. 12, having under consideration the same, do report that said bill ought to pass.

MAGEE,
Chairman.

Report concurred in, and the bill ordered engrossed.

Senate Bill No. 20 was read the second time, together with the report of the committee, recommending that the bill be amended and that it then pass.

Senator Bailey moved that the bill be amended to read fourteen years instead of twelve.

The ayes and noes being demanded and called resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Ernest, Foulke, Johnson, Johnston, Magee, McIntosh, Peterson, Rahm, Schloss, Smith of Jennings, Smith of Jay, Willard, Zimmerman. Total, 16.

Those voting in the negative were:

Senators Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Hill, Hoover, Huston, Lindley, Macy, May, McClure, McCullough, Null, Overstreet, Sellers, Shively, Smith of Delaware, and Youche. Total, 26.

So the amendment was lost.

Senator Bailey moved to amend the report of the committee, so as to substitute thirteen years in place of twelve years.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Bryant, Drake, Ernest, Foulke, Johnson, Johnston, Magee, Marshall, Moon, McIntosh, Peterson, Rahm, Schloss, Shively, Smith of Jennings, Smith of Jay, Willard and Zimmerman. Total, 20.

Those voting in the negative were :

Senators Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Hill, Hoover, Huston, Lindley, Macy, May, McClure, McCullough, Null, Overstreet, Richardson, Sellers, Smith of Delaware, Thompson, and Youche. Total, 25.

So the motion was lost.

Senator Drake offered the following amendment to Senate Bill No. 20 :

MR. PRESIDENT :

I move to amend Senate Bill No. 20 by striking out the following clause in line 4 and 5 of section 1: or engaged in any other kind of manufacturing in the State.

Not adopted.

Senator Bailey moved that Senate Bill No. 20 be engrossed.

Senator Sellers offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 20 by striking out of line 5, of section 2, the words "pay a fine," and inserting in lieu thereof the words, "be fined in any sum."

SELLERS.

Adopted.

Senator Willard demanded the previous question.

Which was seconded.

The ayes and noes being demanded, and called on the engrossment of the bill, resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Benz, Bryant, Day, Drake, Duncan of Brown, Ernest, Johnson, Johnston, Macy, Magee, Marshall,

McCullough, McIntosh, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Willard and Zimmerman. Total, 25.

Those voting in the negative were:

Senators Adkinson, Brown, Campbell of Hendricks, Campbell of St. Joseph, Duncan of Tipton, Ensley, Faulkner, Hill, Hoover, Huston, Lindley, May, Moon, McClure, Null, Overstreet, Shively, Smith of Delaware, and Youche. Total, 20.

So the bill was ordered engrossed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 56, for an act for the relief of Jesse A. Avery and others.

Also, House Bill No. 137, to prohibit the sale of dangerous toys.

Also, House Bill No. 119, in relation to the removal of obstructions from public highways, and the same are referred to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

On motion of Senator Johnston, the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 18, 1885.

Senate met pursuant to adjournment, Senator Magee in the chair.

Senate Bill No. 8 was read a second time together with the two following reports:

Senator Willard, moved that the committee report that recommends that Senate Bill No. 8 do lie on the table, be substituted for the report that recommends the passage of said bill.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Foulke, Hoover, Howard, Huston, Lindley, Macy, Marshall, McClure, McCullough, Rahm, Richardson, Schloss, Sellers, Smith of Delaware, Willard, Youche and Zimmerman. Total, 24.

Those voting in the negative were :

Senators Benz, Brown, Bryant, Campbell of Hendricks, Day, Ernest, Faulkner, Fowler, Hill, Johnson, Johnston, May, Moon, McIntosh, Null, Overstreet, Peterson, Shively, Smith of Jennings, Smith of Jay, Thompson. Total, 22.

So the motion was adopted.

Senator Willard moved that the report of the committee, recommending that the bill lie on the table, be concurred in.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Campbell of St. Joseph, Drake, Duncan of Tipton, Foulke, Hoover, Howard, Huston, Lindley, Macy, Marshall, McClure, McCullough, Rahm, Richardson, Schloss, Sellers, Smith of Delaware, Willard, Youche, Zimmerman. Total, 22.

Those voting in the negative were :

Senators Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Johnson, Johnston, May, Moon, McIntosh, Null, Overstreet, Peterson, Shively, Smith of Jennings, Smith of Jay, Thompson. Total, 23.

So the motion was lost.

Senator Sellers moved that Senate Bill No. 8 be recommitted to the Committee on Education.

Carried.

Senate Bill No. 14 was read a second time, together with the following report of the Committee on Judiciary :

MR. PRESIDENT :

Your Committee on the Judiciary have had under consideration Senate Bill No. 14, a bill to abolish attorney fees, and the committee direct me to report the same back to the Senate with the recommendation that it be laid on the table.

McCULLOUGH,
Chairman.

Senator Smith, of Jay, offered the following substitute for the report of the Judiciary Committee on Senate Bill No. 14:

MR. PRESIDENT :

I move the following as a substitute for the report of the committee:

That section 1 of said bill be amended by inserting after the word "act," in line 11, the words, "the same being section 5518 of the Revised Statutes of 1881," and when so amended the bill be ordered engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Fowler, Hoover, Howard, Johnson, Marshall, Moon, McClure, McIntosh, Peterson, Rahm, Shively, Smith of Jennings, Smith of Jay, Willard, Zimmerman. Total, 19.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Faulkner, Foulke, Hill Huston, Johnston, Lindley, Macy, Magee, McCullough, Null, Overstreet, Richardson, Schloss, Sellers, Thompson, Youche. Total, 24.

So the substitute was not concurred in.

Senator Sellers moved that the report of the Judiciary Committee be concurred in.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Day, Duncan of Tipton, Duncan of Brown, Faulkner, Foulke, Hill, Huston, Johnston, Lindley, Macy, Magee, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Thompson, Winter, Youche. Total, 28.

Those voting in the negative were :

Senators Bailey, Benz, Bryant, Fowler, Hoover, Howard, Johnson, Marshall, McClure, McIntosh, Shively, Smith of Jay, Willard, Zimmerman. Total, 14.

So the motion prevailed.

The President announced that the Mexican veterans were at the door of the Senate.

The Mexican veterans then filed in on the floor of the Senate.

Senator Magee, in the chair, welcomed the veterans and gave them, on behalf of the Senate, the freedom of the Senate Chamber.

Lieutenant Governor Manson responded in behalf of the veterans in a neat speech.

Major Gordon also made a few remarks.

Whereupon the veterans, through their President, Lieutenant Governor Manson, made Senator Magee, President of the Senate, an honorary member of the Mexican War Veteran Association.

Senator Campbell, of St. Joseph, moved that the Senate adjourn.

Lost.

Senator Sellers asked leave of absence for Senator Ernest.

Granted.

Senator Thompson asked leave to offer a substitute bill for Senate Bill No. 75.

Which was granted, and bill was referred to the Committee on Claims.

Senate Bill No. 21 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 21, introduced by Senator Brown, report that we have had the same under consideration, and recommend the passage of the following substitute.

H. J. MAY,
For Committee.

Senator Magee announced that he would make an amendment to Senate Bill No. 21, and would make it to-morrow.

On motion of Senator Willard, the Senate adjourned.

RUFUS MAGEE,
President of the Senate, *pro tem.*

THURSDAY MORNING.

FEBRUARY 19, 1885.

Senate met in regular session, Senator Magee in the chair.

Opened with prayer by the Rev. Mr. Evans, of Indianapolis.

The Journal was read in part and, on motion of Senator Ernest, the further reading was dispensed with.

• Senator Campbell, of St. Joseph, offered the following amendment to Senate Bill No. 21, said bill being the unfinished business under consideration:

SECTION 4. That section nineteen of the above entitled act shall be amended to read as follows: Section 19. If the probable cost of constructing or repairing any bridge or culvert shall exceed seventy-five dollars, the Township Trustee of the township where such proposed bridge or culvert is to be located shall notify the Board of Commissioners of his county of the necessity of such bridge or culvert, and if in the opinion of

the County Commissioners the public convenience shall require the building or repairing of such bridge or culvert, they shall cause surveys and estimates thereof to be made, and cause the same to be erected; the Trustee of the said township in which is located the said bridge or culvert shall, however, pay from the road fund of the said township seventy-five dollars of the cost of such building or repairs: *Provided, however,* That the County Commissioners may, in their discretion, direct the Trustee of the said township in which is located such bridge or culvert, to proceed with the building or repairing of such bridge or culvert, and appropriate from the county treasury money for the payment of all costs of such building or repairs in excess of seventy-five dollars: *Provided further,* That if the Board of Commissioners shall not deem such bridge or culvert of sufficient importance to make an appropriation from the county treasury for the building or repairing thereof, the Trustee of the township in which is located such bridge or culvert may appropriate any part of the road tax fund or township fund in the township treasury for that purpose, if he shall deem it right and expedient to do so.

Adopted.

Senator Campbell, of St. Joseph, offered the following amendment to Senate Bill No. 21, by inserting in the title the word "nineteen" after the word "six" in line 1 of the title. Also, that the emergency clause shall be section 5.

Adopted.

On motion, Senate Bill No. 21, as amended, was ordered engrossed.

Senator Willard moved that the Senate go into Committee of the Whole.

Senator Winter moved to amend by first considering Senate Bill No. 189, the same being the reconsidering the vote by which said bill was passed.

Carried.

Senator Weir moved to lay the motion to reconsider the vote on Senate Bill No. 189 on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 43.

Those voting in the negative were:

Senators Willard and Youche. Total, 2.

So the motion was adopted.

Senator Willard arose to a personal privilege, and moved that the amendment to Senate Rule No. 54 be taken up, and moved the previous question, which was not seconded.

Senator McCullough moved to postpone further action on the motion to change the Senate Rules until next Tuesday at 2 o'clock P. M.

Carried.

Senator Magee presented several petitions, which were referred to the Committee on Labor, without reading.

Senator McIntosh presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Fowler presented a petition, which was referred to the Committee on Public Health.

Also, a petition which was referred to the Committee on Education, without reading.

Senator McClure presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Adkinson presented a petition, which was referred to the Committee on Railroads, without reading.

Senator Lindley presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Youche presented a petition, which was referred to the Committee on Public Health and Vital Statistics, without reading.

Senator Campbell of Hendricks presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Youche presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Adkinson presented a petition, which was referred to the Committee on Education, without reading.

Senator Campbell of Hendricks presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Campbell of St. Joseph asked leave of absence for Senator Macy, on account of sickness.

Granted.

Senator Sellers asked leave of absence for himself for an indefinite period.

Granted.

On motion of Senator Willard, the Senate went into Committee of the Whole on consideration of Engrossed House Bill No. 327.

The Chairman reported progress, and asked leave to meet again at 2 o'clock.

Carried.

Senator Foulke offered the following concurrent resolution:

Resolved by the Senate, the House of Representatives concurring,
That the following amendment is proposed and agreed to article 2, section 2 of the Constitution of the State of Indiana.

Read the first time and referred to Joint Committee on Woman's Claims.

On motion of Senator Youche the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 19, 1885.

The Senate met in regular session, Senator Magee in the chair.

- Senator Willard moved that the Senate go into a Committee of the Whole.

Carried.

The Committee of the Whole made the following report :

MR. PRESIDENT :

Your committee beg leave to present the following amendments to Engrossed House Bill No. 327 :

MR. PRESIDENT :

Your Committee on Finance would respectfully report that they have had under consideration House Bill No. 327, "an act making appropriations for the State Government and its institutions, directing the application of such appropriations, requiring accounts to be kept by the fiscal years of the State, repealing inconsistent laws, and declaring an emergency," and said committee unanimously recommend the following amendments:

In section 2, item 3, line 32, strike out \$800 and insert \$1,200. Same section and item, line 33, strike out \$800 and insert \$1,000. In section 2, item 5, line 45, insert "five" instead of "three." In section 2, item 9, amend first portion to read as follows: "For the salaries of five Judges of the Supreme Court at four thousand dollars each." In section 2, item 9, in line 92, strike out the word — and insert the words "fifteen hundred dollars."

In section 2, item 9, after the item providing for Supreme Court expenses insert the following: "For the fiscal year 1885, for the Messenger for the Supreme Court, to be appointed by the Supreme Court, four hundred dollars."

In section 2, item 9, strike out the final clause providing for insurance and repairs and insert \$500 for insurance on law library.

In section 1, item 10, line 111, strike out "two" and insert the word "three," before the word "janitors," and in line 112, the word "eighteen" instead of the word "twelve."

In said item, also add after the word "Auditor," the words "Secretary and Treasurer."

In line 127, strike out the word "sixty" and insert "forty."

In section 2, item 12, line 160, strike out the words "including the publication of report."

In section 2, item 13, line 175, after the words "thirty thousand dollars," insert the following: "Out of which appropriation the Trustees of said institution shall be paid the sum of three hundred dollars each for the fiscal year 1885."

Add as an additional section the following:

Section 3. An emergency is hereby declared to exist for the immediate taking effect of this act. It shall, therefore, be in force from and after its passage.

The question being on concurring in the report of the Committee of the Whole.

Report concurred in with amendments.

Senator Willard moved that Engrossed House Bill No. 327, together with the amendments, be read the second time by title, considered engrossed, read the third time by sections, and put upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 45.

No one voting in the negative.

So the constitutional rules were suspended.

Engrossed House Bill No. 327 was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 42.

No one voting in the negative.

So the bill passed.

The title was read, amended and adopted.

Senator Hill introduced Senate Bill No. 322, entitled:

An act in relation to the settlements of County Treasurers with the Treasurer and Auditor of State, and the apportionment and disbursement of the school revenue for tuition, the report of County Auditors to the Superintendent of Public Instruction, repealing conflicting laws, and declaring an emergency.

Read the first time and referred to Committee on Judiciary.

Senator Hill introduced Senate Bill No. 323, entitled:

A bill for an act appropriating the sum of seven thousand six hundred and fifty-five dollars, for the payment of the claims of certain persons therein named.

Read the first time and referred to Committee on Military Affairs.

Senator Johnson introduced Senate Bill No. 324, entitled:

A bill for an act to be entitled an act to authorize the Board of Trustees of any school city to pay out of the special school funds of such city for real estate purchased for a public library.

Read a first time and referred to the Committee on Education.

Senator Huston introduced Senate Bill No. 325, entitled:

An act authorizing the dissolution of the Eastern Indiana Agricultural, Mechanical and Trotting Park Association, and declaring an emergency.

Read the first time.

Senator Huston moved that the constitutional rules be suspended, and that Senate Bill No. 325 be read a second time by title, considered engrossed, read a third time by title, and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Hill, Huston, Johnson, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Thompson, Weir, Willard, Youche, Zimmerman. Total, 34.

Those voting in the negative were:

Senators Fowler, Hoover, Johnson, Johnston, McIntosh, Null, Smith of Delaware, Winter. Total, 9.

So the constitutional rules were suspended.

Senate Bill No. 325 was read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Hill, Huston, Johnson, Lindley, Magee, Marshall, May, Moon, McCullough, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 31.

Those voting in the negative were :

Senators Adkinson, Bailey, Foulke, Fowler, Hoover, Johnston, McClure, Null, Smith of Jay, and Smith of Delaware. Total, 10.

So the bill passed.

The title as read was adopted.

Senator Adkinson introduced Senate Bill No. 326, entitled :

A bill for an act exempting homestead and personal property from sale on execution or other process to the persons herein named, and all other matters relating and pertaining to this subject.

Read a first time by sections, and referred to the Committee on Rights and Privileges.

Senator Smith of Delaware introduced Senate Bill No. 327, entitled :

An act providing that interest on county bonds may be paid in annual or semi-annual installments.

Read a first time, and referred to the Committee on Finance.

Senator Schloss offered the following resolution :

Whereas, The supply of the Rules of the Senate is now exhausted, therefore

Resolved, That the Principal Secretary be directed to make requisition for two hundred and fifty (250) copies, and file one hundred copies with the State Librarian for the use of the next General Assembly.

Adopted.

The President presented the following communication from Lizzie O. Callis, State Librarian :

INDIANAPOLIS, IND.,

February 19, 1885.

Governor M. D. Manson, President of the Senate :

In compliance with House Concurrent Resolution No. 6, adopted February 2, 1885, authorizing the State Librarian to purchase a State flag, I have the honor to present to the Senate for their approval the accompanying flag, and would state that it

is not yet completed, as the center painting is to be removed and the center filled in with embroidery, as shown by the shield, which change will be made as soon as the flag is returned from the Washington Monument Association.

LIZZIE O. CALLIS,
Librarian.

On motion of Senator Youche, the Senate adjourned.

RUFUS MAGEE,
President of the Senate *pro tem*.

FRIDAY MORNING.

FEBRUARY 20, 1885.

Senate met in regular session, Senator Magee in the chair.

Opened with prayer by the Rev. Mr. Messing, of Indianapolis.

The Journal was read in part, and, on motion of Senator Ernest, the further reading was dispensed with.

Senator Fowler moved to suspend the regular order of business and take up Senate Bill No. 185.

Carried.

Senate Bill No. 185 was read a second time, together with the following majority and minority reports of the Judiciary Committee:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 185—a bill to suspend imprisonment in criminal cases pending an appeal to the Supreme Court—and a majority of the committee report the bill back to the Senate with the recommendation that it do lie on the table.

J. E. McCULLOUGH,
M. H. WEIR,
WM. D. FOULKE,
F. WINTER,
CAMPBELL, of Hendricks.

MR. PRESIDENT :

Your Committee on the Judiciary have had under consideration Senate Bill No. 185—a bill for an act to suspend imprisonment in criminal cases pending an appeal to the Supreme Court—and a majority of the committee having recommended that said bill be laid on the table, therefore the Senator from Owen county would respectfully recommend that said bill be not laid upon the table, but that the same do pass.

**I. H. FOWLER,
A. G. SMITH.**

Senator Fowler moved that the minority be substituted for the majority report, and the same be concurred in.

Senator Campbell of Hendricks moved to lay the motion on the table.

Carried.

Senator May moved to take up Senate Bill No. 66, on second reading.

Carried.

Senate Bill No. 66 was read a second time, together with the following report of the Committee on Judiciary.

MR. PRESIDENT :

Your Committee on the Judiciary have had under consideration Senate Bill No. 66, a bill concerning private corporations existing prior to November 1, 1851, and the Committee directs me to report the same back to the Senate, with the recommendation that it be so amended as to read as follows, and that when so amended it do pass.

**McCULLOUGH,
Chairman.**

Concurred in.

Senator May moved that the constitutional rules be suspended, the bill considered engrossed, read a third time by sections and put upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Winter, Youche and Zimmerman. Total, 41.

None voting in the negative.

So the constitutional rules were suspended.

Engrossed Senate Bill No. 66 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Drake, Duncan of Tipton, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 40.

No one voting in the negative.

So the bill passed.

The title was read.

Senator Sellers, from the Committee on Phraseology, presented the following report:

MR. PRESIDENT :

Your Committee on Phraseology, to which was submitted Senate Bill No. 66, beg leave to recommend that the following be adopted as the title to the same :

An act establishing provisions respecting private corporations created and existing at and before November 1, 1851, for the purposes of mining for stone coal, iron ore and other ma-

terials, and for the manufacturing of iron, copperas and lumber, and building steam and flat boats for the transportation of coal, iron, lumber and other products, and other matters connected therewith, and declaring an emergency.

The title as amended was adopted.

Senator Smith of Jay was called to the chair temporarily.

Senator Magee moved that the constitutional rule be suspended, and Senate Bill No. 251 taken up and read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Richardson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 39.

None voting in the negative.

So the constitutional rule was suspended.

Senate Bill No. 251 was read a second time, together with the following report of the Committee on Judiciary :

MR. PRESIDENT :

Your Committee on Judiciary have had under consideration Senate Bill No. 251, a bill concerning taxation, and the committee direct me to report the same back to the Senate with the recommendation that it be amended as follows :

Prefix to the title the words "An act to amend an act entitled."

Amend section 1 by striking out the words "255, 256 and 257," and insert in lieu thereof the words "1, 2 and 3."

In the same section, between the words "entitled" and "an act," etc., insert the words "an act to amend sections 255, 256 and 257, of an act entitled."

After the words "March 29, 1881" insert the words "approved March 1, 1883."

In the same section strike out the words in parenthesis "section 255."

In section 2 strike out the words "section 256."

In section 3 strike out the words "section 257."

And the committee further recommend that when so amended the bill do pass.

J. E. McCULLOUGH,
Chairman.

Report concurred in.

Engrossed Senate Bill No. 251 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hoover, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, Null, Peterson, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 38.

None voting in the negative.

So the bill passed.

The title was read and on motion the bill was referred to the Committee on Phraseology for the purpose of amending the title.

Senate Bill No. 60 was read a second time, together with two reports from the committee.

Which read as follows:

MR. PRESIDENT:

The undersigned, members of the Committee on Education, beg leave to report that we have had Senate Bill No. 60, introduced by Senator Foulke, under consideration, and in regard to

the merits of said bill do say that, in our opinion, no such legislation is necessary, because the effects of alcoholic stimulants and narcotics upon the human system are already taught and fully presented to children of the common schools of the State of Indiana as a part of the subject of physiology, one of the eight common school branches; and further, we say that the baleful effects of the use of alcoholic stimulants and narcotics upon the character and fortunes of mankind are aptly illustrated and impressively presented to all the children of Indiana, in every series of reading books adopted throughout the State of Indiana. And we oppose said bill because the enactment of such a law would, in our opinion, invest a few temperance enthusiasts in various localities with the privilege of giving their own interpretation to such a law, and would lead to disturbances and commotion in the schools of Indiana. We do, therefore, recommend that said bill be indefinitely postponed.

FRANCIS JOHNSON,
Chairman.

JAMES H. WILLARD,
W. C. DUNCAN.

MR. PRESIDENT:

The undersigned, members of your Committee on Education, to whom was referred Senate Bill No. 60, respectfully report said bill with the recommendation that it do pass.

GEORGE MOON,
C. C. DUNCAN,
FOULKE.

Senator Foulke moved that report No. 2 be concurred in.

Senator Rahm moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Johnson, Magee, McClure, McCullough, Rahm, Schloss, Smith of Jennings, Smith of Jay, Thompson, Willard, Zimmerman. Total, 20.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Hilligass, Hoover, Huston, Lindley, Marshall, Moon, McIntosh, Peterson, Shively, Weir, Winter, Youche. Total, 20.

So the motion was lost.

Senator Willard moved to recommit Senate Bill No. 60.

Lost.

Senator Schloss moved to recommit to a special committee of seven.

Senator Smith, of Jay, offered the following as a substitute:

MR. PRESIDENT:

I move to strike out the enacting clause.

Senator Willard moved the previous question.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Ernest, Faulkner, Fowler, Hill, Johnson, Johnston, Magee, McClure, McCullough, Null, Rahm, Richardson, Schloss, Smith of Jay, Thompson, Willard, Zimmerman. Total, 20.

Those voting in the negative were:

Senators Adkinson, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Foulke, Hilligass, Hoover, Huston, Lindley, Marshall, May Moon, McIntosh, Peterson, Shively, Smith of Jennings, Smith, Weir, Winter, Youche. Total, 25.

So the previous question was not seconded.

The question now being on substitute of Senator Smith, of Jay.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Ernest, Faulkner, Fowler, Hill, Johnson, Johnston, Magee, McCullough, Null, Rahm, Richardson, Schloss, Smith of Jennings, Smith of Jay, Thompson, Willard, Zimmerman. Total, 21.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Day, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Hilligass, Hoover, Huston, Lindley, Marshall, May, Moon, McClure, McIntosh, Shively, Smith of Delaware, Weir, Winter, Youche. Total, 23.

So the motion was lost.

Senator May moved that the Senate adjourn.

Lost.

Senator Willard moved to indefinitely postpone Senate Bill No. 60.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators, Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Johnson, Johnston, Magee, May, McClure, McCullough, Null, Rahm, Richardson, Schloss, Smith of Jennings, Smith of Jay, Thompson, Willard, and Zimmerman. Total, 24.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Hilligass, Hoover, Huston, Lindley, Marshall, Moon, McIntosh, Peterson, Shively, Smith of —, Weir, Winter, and Youche. Total, 21.

So the motion was carried.

On motion of Senator Brown the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 20, 1885.

Senate met in regular session, with Lieutenant Governor Manson in the chair.

Senator McIntosh, by unanimous consent, made a report from the Committee on County and Township Business on Senate Bill No. 295, recommending that the same do pass.

Senator Marshall asked leave of absence for Senator Faulkner.

Granted.

Senator Ernest, from the Committee on Swamp Lands, made a report on Senate Bill No. 280, recommending that the bill do lie on the table.

Also Senate Bill No. 206, recommending that the bill do lie on the table.

Also Senate Bill No. 82, with amendments, and when so amended, that the bill do pass.

Also Senate Bill No. 21, with amendments, and when so amended that the bill do pass.

Also Senate Bill No. 68, recommending that the bill do lie on the table.

Senator Zimmerman made majority and minority reports from the Committee on Mines and Mining on Senate Bill No. 282. The majority report recommends that the bill lie on the table, and the minority report recommends that the bill do pass.

Senate Bill No. 27 was read a second time, together with the following majority and minority reports:

MR. PRESIDENT:

Your Committee on Federal Relations, to whom was referred Senate Bill No. 27 entitled, An act to repeal an act "authorizing a Commissioner of Fisheries for the State of Indiana," etc., beg leave to report adversely to the passage of the same.

C. R. FAULKNER,

Chairman.

MR. PRESIDENT:

The undersigned member of your Committee on Federal Relations, to whom was referred Senate Bill No. 27, to repeal the office of Fish Commissioner, beg leave to disagree with the majority report, and recommend that the bill do pass.

JAS. S. SHIVELY.

Senator Fowler moved that the minority report be concurred in.

Lost.

Senator Bailey moved that the majority report of the Committee on Senate Bill No. 27 be concurred in.

Carried.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, presented the following reports:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 154 with Enrolled Senate Act No. 154, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 115 with Enrolled Senate Act No. 115, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 182, with Enrolled Senate Act No. 182, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Lieutenant Governor Manson announced that he had signed Enrolled Senate Bills Nos. 182, 154 and 115.

Senate Bill No. 34 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 34, "in relation to claims against municipal corporations and the adjudication of the same," have had said bill under consideration, and a majority of said committee direct me to report to the Senate that section 2 of said bill be amended so as read as follows, to-wit:

SEC. 2. Such claim shall be by said Council referred to some appropriate committee for investigation, if such reference shall be requested by one-third of all the members of such Council, which committee shall within forty days thereafter, at a regular meeting of said Council, report their recommendation thereon. If the claim be not allowed in full as asked, the claimant shall have the right to appeal therefrom to the Circuit or Superior Court of the county in which such city is located, by filing a written notice with such City Clerk stating that the claimant appeals from such order of the City Council with reference to such claim, and the Court to which he appeals: *Provided, however,* That no appeals shall be taken after six months from the action of said Council disallowing said claim in whole or in part: *Provided further,* That in case the claimant is a non-resident of this State, no such appeal shall be allowed until such applicant shall have filed with the City Clerk, to his approval, in addition to such notice, an undertaking conditioned that he or she will prosecute such appeal to final determination and pay all costs that may be adjudged against him or her. The receipt of the amount allowed by said claimant shall bar all further suits on account of the claim originally presented to said Council.

The committee further recommends that section 3 of said bill be amended by inserting, immediately after the word "such" in the first line of said section, the words "notice, and in case of a non-resident of this State such;" and that said bill as so amended be reported with the recommendation that it do pass.

L. S. NULL,
Chairman.

Report concurred in, and on motion bill as amended ordered engrossed.

Senate Bill No. 39 was read a second time, together with the following report of the Committee on Education :

MR. PRESIDENT :

Your Committee on Education, to which was referred Senate Bill No. 39, beg leave to report that the majority of the committee recommend that said bill do pass.

FRANCIS JOHNSON,
Chairman.

On motion of Senator Foulke, Senate Bill No. 39 was referred to the Committee on Judiciary, to report as to the constitutionality of said bill, and the same was set down as a special order for 10:30 A. M. to-morrow.

Carried.

Senator Weir, from the Committee on Claims, made a report on Senate Bill No. 177, recommending that the same do pass.

Report reads as follows :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred Senate Bill No. 177, introduced by Senator Thompson, report that we have had the same under consideration, and recommend that said bill do pass.

M. H. WEIR,
Chairman.

Senator Thompson moved to suspend the constitutional rule, read Senate Bill 177 a second time by title, consider it engrossed, read the third time by sections, and put upon its passage.

Which motion was lost by the following vote :

Those voting in the affirmative were :

Senators Bailey, Benz, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Fowler, Hilligass, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, Peterson, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard and Zimmerman. Total, 31.

Those voting in the negative were :

Senators Brown, Davis, Ernest, Foulke, Hill, Howard, McIntosh, Null, Winter and Youche. Total, 10.

So the motion was lost.

On motion of Senator Thompson Senate Bill No. 177 was ordered engrossed.

Senate Bill No. 47 was read a second time.

Senator McCullough, from the Committee on Judiciary, made a report on Senate Bill No. 47, with amendments, and recommending that the bill do pass.

The report of the committee was concurred in.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 247, for an act appropriating twenty-five thousand nine hundred and one dollars and sixty-four cents, to pay the indebtedness of the State to William B. Burford, State Printer.

Also, House Bill No. 66, creating and defining the Twenty-first, Twenty-second, and Forty-seventh Judicial Circuits of the State of Indiana, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Magee offered the following amendment to Senate Bill No. 47 :

MR. PRESIDENT :

I move to amend Senate Bill No. 47 by inserting in line 2, section 1, after the word "corporation," in said line 2, the word "individuals," and strike out the words, "or hereafter organized," in said line 2.

MAGEE.

Amendment lost.

Senator Ensley introduced Senate Bill No. 328, entitled:

An act to enroll the late soldiers, and their widows and orphans, of the late armies of the United States, residing in the State of Indiana.

Read first time and referred to special committee of three, composed of Senators Ensley, Hilligass and Marshall.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 196, and amended the same, and the bill, with amendments, is returned to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator McIntosh presented a petition in reference to Senate Bill No. 47, which was read.

Senator Youche offered the following amendment to Senate Bill No. 47:

MR. PRESIDENT:

I move to amend section 3 of said bill by striking out the word "individual" in line 2 of the printed bill and by inserting the word "and" between the words "receiver" and "such" in line 4 of said printed bill.

Adopted.

Senator Magee offered the following amendment to Senate Bill No. 47:

MR. PRESIDENT:

I move to strike out the word "ten" in line 5, section 2, and insert the word "thirty."

Amendment adopted.

Senator Weir moved that Senate Bill No. 47, together with amendments, be considered engrossed, the constitutional rules be suspended, the bill read a second time by title and third time by sections, and placed upon its passage.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Day, Drake Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Johnson, Marshall, Moon, McClure, McCullough, McIntosh, Mill, Peterson, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 35.

Those voting in the negative were :

Senators Benz, Magee, May. Total, 3.

So the constitutional rule was suspended.

Senate Bill No. 47 was considered engrossed.

Read a second time by title and a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll call resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Johnson, Marshall, Moon, McClure, McCullough, McIntosh, Null, Peterson, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 36.

Those voting in the negative were :

Senators Davis, Magee and May. Total, 3.

So the bill passed.

Title adopted as read.

Senator Foulke moved that when the Senate adjourn this p. m., it be until 9:30 o'clock to-morrow morning.

Carried.

Senator Adkinson presented a petition which was referred to Committee on Public Health, without reading.

Senator Hoover asked that Senate Bill No. 254 be set down for consideration on next Tuesday, and be made a special order for ten o'clock, A. M., on said day.

Granted and so ordered.

Senator May offered the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the advisability of the passage of an act to abolish the Supreme Court Commission, and if a repealing act is found necessary in order to abolish such commission, that said committee report a bill to that effect.

MAY.

Adopted.

Senator Winter asked for leave of absence for Senator Smith, of Delaware, until next Monday.

Granted.

Senator Hilligass presented three petitions which were referred to Committee on Public Health, without reading.

Senator Smith, of Jennings, moved to take up Senate Bill No. 257, with the reports of the committee, which was concurred in, and the bill was read and ordered engrossed.

Carried.

Senator Smith, of Jay, asked leave of absence for himself until Monday.

Granted.

On motion of Senator Youche, Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING.

FEBRUARY 21, 1885.

Senate met in regular session at 9:30 A. M., Lieutenant-Governor Manson in the chair.

Opened with prayer by Representative Browning, of Brown county, Indiana.

Journal read in part, and on motion of Senator Weir, the further reading was dispensed with.

Lieutenant-Governor Manson presented the following communication in regard to Normal School real estate at Terre Haute :

INDIANA STATE NORMAL SCHOOL, }
TERRE HAUTE, IND., February 18, 1885. }

Hon. Mahlon D. Manson, President Indiana State Senate :

DEAR SIR:—I have the honor to inform you and the honorable body of which you are the presiding officer, that the city school corporation of this city, has this day executed and delivered to me a quit-claim deed, conveying to the board of trustees of the State Normal School, the lot now used and occupied by them for said institution, for a consideration of thirty thousand dollars (\$30,000.00), which consideration has been paid by said city, and that the Auditor of Vigo county has also executed a quit-claim deed, conveying to the trustees of the State Normal School every right and title which the county may have in said property. These conveyances, together with the warranty deed which the trustees now hold from the city of Terre Haute, do in the opinion of Normal School Board, vest in said board a good and sufficient title in fee, as every party that can have any adverse interest has now executed a deed of conveyance of such interest.

I have the honor to be with great respect,

Your obedient servant,

WILLIAM E. McLEAN,
Secretary Board of Trustees Indiana State Normal School.

Lieutenant-Governor Manson presented the following communication from James R. Carnahan, in regard to New Orleans Exposition:

NEW ORLEANS, February 14, 1885.

General M. D. Manson, President Indiana Senate:

DEAR SIR—I have arranged with the management of the Exposition for "Indiana Day," fixing it for Monday, March 16, and now extend to you and through you to the Senate of Indiana an invitation to be present and participate in the ceremonies of the day set apart to Indiana.

Very respectfully,

JAMES R. CARNAHAN,
Commissioner for Indiana.

Senator Weir asked leave of absence for Senator Campbell, of St. Joseph.

Granted.

Senator Duncan, of Brown, asked leave of absence for Senator Hoover until next Tuesday.

Granted.

Senator Benz introduced Senate Bill No. 329, entitled:

An act to amend an act entitled an act concerning the behavior and time of convicts in the State Prisons and Indiana Reformatory for Women and Girls, and declaring an emergency.

Read the first time and referred to the Committee on Benevolent and Reformatory Institutions.

Senator Smith, of Jennings, asked leave of absence for Senator Rahm.

Granted.

Senator Magee called up Engrossed House Bill No. 196, and said bill and amendments added thereto by the House were read, and the amendments were concurred in.

Senator McIntosh, from the Committee on County and Township Business, made a report on Engrossed House Bill No. 80, recommending that the same do pass.

Also, on Senate Bill No. 310, recommending that the same do pass. .

Senator McIntosh, from the Committee on County and Township Business, made a report on Engrossed House Bill No. 82, recommending that the same do pass.

Also, on Engrossed House Bill No. 84, recommending that the same do lay on the table. .

Senator Ernest offered the following Concurrent Resolution No. 20:

Resolved by the Senate, the House of Representatives concurring,
That our Senators are instructed, and members of Congress requested, to oppose and vote against any financial measure that has for its object the stoppage of the coinage of silver dollars.

Adopted.

Senator Richardson, from the Committee on Fees and Salaries, made a report on Senate Bill No. 318, recommending that the same do pass.

Also, on Senate Bill No. 184, recommending that the same do lay on the table.

Senator Richardson, from the Committee on Fees and Salaries, made a report on Senate Bill No. 277, with amendments, recommending that when so amended said bill do pass.

Also, on Engrossed House Bill No. 20, recommending that the same do lay on the table.

Senator May, from the Committee on Insurance, made a report on Senate Bill No. 202, recommending that the same do pass.

Also on Senate Bill No. 17, recommending that the same do lay on the table.

Also on Senate Bill No. 300, recommending that the same do lay on the table.

Senator May, from the Committee on Insurance, made a report on Engrossed House Bill No. 19, recommending that the same do pass.

Also on Senate Bill No. 289, recommending that the same do pass.

Senator Weir asked leave of absence for Senator Ernest, until next Monday morning.

Granted.

The Chair presented a lengthy communication from the Judges of the Supreme Court, which was read and referred to the Committee on Finance.

Senator Smith of Jennings moved that the communication from the Supreme Judges be printed.

Carried.

Senator Smith of Jennings, from the Committee on the Judiciary, made a report on the Senate Bill No. 294, recommending that the same do pass.

Senator Lindley moved that the committee's report on Senate Bill No. 294 be concurred in.

Carried.

Senator Lindley moved that the constitutional rules be suspended, that Senate Bill No. 294 be read a first time by sections, a second time by title, be considered, engrossed, read a third time by sections and placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Huston, Lindley, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche, Zimmerman. Total, 36.

None voting in the negative.

So the constitutional rule was suspended.

The constitutional rules being suspended, Senate Bill No. 294 was read a first time by sections, a second time by title, a third time by sections, and placed upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were :

Senators Adkins, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Huston, Johnson, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche, Zimmerman. Total, 38.

None voting in the negative.

So the bill passed.

Title adopted as read.

Senator McCullough, from the Committee on Judiciary, made a report on Joint Resolution No. 6, with amendments, recommending that when so amended the same do pass.

Senator McCullough, from the Committee on Judiciary, made a report on Concurrent Resolution No. 10, with amendment, recommending that when so amended the same do pass.

On motion, Concurrent Resolution No. 10 was recommitted to the Judiciary Committee.

Senator McCullough, from the Committee on Judiciary, made a report on Senate Bill No. 29, stating that in their opinions the provisions of said bill were constitutional.

Senator Huston moved that the report of the Committee on Senate Bill No. 29 be concurred in, and the bill be read a second time and ordered engrossed, together with amendments thereto.

The roll being called, resulted as follows:

Those voting in the affirmative were :

Senators Benz, Brown, Bryant, Davis, Drake, Ensley, Hill, May, McCullough, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jay, and Willard. Total, 16.

Those voting in the negative were :

Senators Adkinson, Bailey, Campbell of St. Joseph, Day, Duncan of Tipton, Duncan of Brown, Fowler, Hilligass, Johnson, Lindley, Magee, Marshall, McClure, McIntosh, Schloss, Smith of Jennings, Weir, Willard, Youche and Zimmerman. Total, 20.

So the motion was lost.

Senator Youche moved to amend Senate Bill No. 29 as follows :

MR. PRESIDENT :

I move to amend Senate Bill No. 29 by adding to section 1 the following words: " But the several counties shall be held liable under said section 3 for the payment of the same amount of interest as if this act had never been passed.

YOUCHE.

Senator Sellers moved to lay amendment on the table.

The ayes and noes being demanded, the roll being called resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Brown, Bryant, Duncan of Tip-ton, Duncan of Brown, Fowler, Hill, Hilligass, Johnson, Lindley, Magee, May, McClure, McCullough, McIntosh, Overstreet, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Winter and Zimmerman. Total, 25.

Those voting in the negative were :

Senators Benz, Campbell of Hendricks, Day, Drake, Ensley, Ernest, Marshall, Peterson, Weir, Willard and Youche. Total, 11.

So the amendment was concurred in.

Senator Campbell, of Hendricks, asked leave of absence for Senator Moon.

Granted.

Senator Benz asked leave of absence for Senator Null.

Granted.

Senator Magee asked leave of absence for Senators Adkinson and Huston until Tuesday.

Granted.

Senator McCullough, from the Committee on the Judiciary, made a report on Senate Bill No. 39, as follows :

MR. PRESIDENT :

Your Committee on the Judiciary to whom was referred Senate Bill No. 29, introduced by Senator Schloss, for its opin-

ion as to the constitutionality of said proposed law, beg leave to make the following report: Section 3, article 8, of the Constitution of the State of Indiana, reads as follows: "The principal of the Common School Fund shall remain a perpetual fund which may be increased but shall never be diminished, and the income thereof shall be inviolably appropriated to the support of the common schools and to no other purpose whatever." It is the opinion of your committee that the deduction of twelve thousand five hundred dollars semi-annually from the school revenue as proposed in said bill, would fall within the constitutional prohibition above set forth, and therefore the committee believe said proposed law would be unconstitutional.

McCULLOUGH,
Chairman.

Senator Schloss introduced Senate Bill No. 330 as a substitute for Senate Bill No. 89, the latter having been declared unconstitutional, entitled:

An act in relation to the State Normal School at Terre Haute, making annual appropriations therefor, and declaring an emergency.

Read the first time and referred to a special committee on education.

Senator Johnson moved to refer Senate Bill No. 330 to a special committee of five, with instructions to report on Monday next.

Carried.

Chair appointed Senators Johnson, Fowler, Youche, May and Drake, as such special committee.

Senator Adkinson offered Concurrent Resolution No. 21, which was read and referred to the Committee on Rights and Privileges.

Senator Smith, of Jennings, from the Committee on Education, made a report on Engrossed House Bill No. 96.

Senator McCullough, from the Committee on Judiciary, made a report on Senate Bill No. 111, recommending that the same do lay on the table.

The Chair gave notice that he had signed Enrolled Senate Bill No. 96.

Senator McCullough, from the Judiciary Committee made majority and minority reports on Senate Bill No. 161—the majority report recommending that the same do lay on the table, and the minority report recommending that the same do pass.

Senator McCullough, from the Committee on Judiciary, made a report on Senate Bill No. 195, recommending that the same do pass.

Also, on Senate Bill No. 280, with amendments, recommending that when so amended the same do pass.

Senator McCullough, from the Committee on Judiciary, made a report on Senate Bill No. 296, recommending that said bill be referred to the Committee on Cities and Towns.

Concurred in.

Also, on Senate Bill No. 303, recommending that the same do lay on the table.

Senator McCullough, from the Committee on Judiciary, made a report on Senate Bill No. 306, recommending that the same do lay on the table.

Also, on Engrossed House Bill No. 98, recommending that the same do pass.

Senator McCullough, from the Committee on Judiciary, made report on Senate Bill No. 124, recommending that the same do pass.

Also on Senate Bill 302.

Senator McCullough, from the Committee on Judiciary, made reports on Engrossed House Bill No. 57. Majority report recommending that the same do lay on the table, and minority report recommending that the same do pass.

Also on Senate Bill No. 179, recommending that the same do lay on the table.

Senator Magee moved that when Senate adjourn at noon to-day, it do so until 10 o'clock Monday morning.

Carried.

Senator Weir was called to the chair temporarily.

Senator Sellers moved that the constitutional rules be suspended, Senate Bill No. 71 be read a second time by title, be considered engrossed, be read a third time by sections and be placed upon its passage.

The roll being called resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Brown, Ensley, Fowler, Hill, Hilligass, Johnson, Lindley, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche and Zimmerman. Total, 35.

None voting in the negative.

So the constitutional rule was suspended.

The constitutional rule being suspended, Senate Bill No. 71 was read a second time, considered engrossed, read a third time and place upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Fowler, Hill, Hilligass, Johnson, Lindley, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche and Zimmerman. Total, 34.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Hilligass moved to take up Engrossed House Bill No. 247, that the constitutional rule be suspended, the bill be read a first time by sections, a second time by title, a third time by sections and be placed upon its passage.

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Fowler, Hill, Hilligass, Johnson, Lindley, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche and Zimmerman. Total, 35.

No one voting in the negative.

The rules was suspended.

Engrossed House Bill No. 247, was taken up, the constitutional rules being suspended.

The bill was read first time by sections, a second time by title, a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll being called resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Fowler, Hill, Hilligass, Johnson, Lindley, Magee, Marshall May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche and Zimmerman. Total, 35.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Bailey asked leave that Senate Bill No. 109 be re-committed to the Committee on Labor, with permission to report at any time.

Granted.

On motion of Senator Smith, of Jennings, Senate Bill No. 257 was taken up and read a third time, and placed upon its passage.

The question being, Shall the bill pass?

The roll being called resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Fowler, Hill, Hilligass, Johnson, Lindley, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche, Zimmerman. Total, 35.

None voting in the negative.

So the bill passed.

Title adopted as read.

Senator Willard moved that chairmen of committees have leave to file committee reports this evening, and have the Clerk take account of them in the Journal.

Carried.

Senate Bill No. 27 was called up and read a third time and placed upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Fowler, Hill, Hilligass, Johnson, Lindley, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche, Zimmerman. Total, 34.

None voting in the negative.

So the bill passed.

Title adopted as read.

Senate Bill No. 15, together with the report of the committee, was read second time and ordered engrossed.

The Committee on Enrolled Bills presented the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 196 with Enrolled Senate Act No. 196, and find that the same has been correctly enrolled.

A. G. SMITH,
Chairman.

On motion of Senator Youche, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

Senator Johnson, from Committee on Education, made report on Senate Bill No. 225, recommending that the same do pass.

Senator Bailey, from Committee on Labor, made report on Senate Bill No. 109, recommending the adoption of the following substitute for bill offered by committee.

Senator Johnson, from the Committee on Roads, made report on Senate Bill No. 35 with amendments, and recommended that when so amended the same do pass.

Senator Willard, from the Committee on Finance, made report on claim of Clarence Ellis, messenger, recommending the allowance of said claim.

Senator Willard offered the following concurrent resolution:

Resolved by the Senate, the House of Representatives concurring therein, That the President of the Senate be authorized to draw a warrant on the State Auditor in favor of Clarence Ellis for the sum of sixty dollars, the said Ellis having been employed for twelve days as messenger of the Senate.

Senator Bryant, from the Committee on Public Health, made report on Senate Bill No. 304, recommending that it do pass.

Senator Smith of Jay, from the Committee on Organization of Courts, made majority and minority reports on Senate Bill No. 208, and recommended that the majority report do pass, and that the minority report do lie on the table.

Senator Bailey, from Committee on Labor, made report on Concurrent Resolution No. 17, and recommended that it do pass.

Senator Hoover, from Committee on Prisons, made report on Senate Bill No. 329, recommending that it do pass.

Senator Smith of Jay, from Committee on Organization of Courts, made report on Engrossed House Bill No. 83, recommending that it do pass.

Senator Willard, from Committee on Finance, made report on Senate Bill No. 226, recommending that it do pass.

Senator Willard, from Committee on Finance, made report on Senate Bill No. 179, recommending that it do pass.

Senator Willard, from Committee on Finance, made report on Engrossed House Bill No. 62, recommending that the same do pass.

Senator Johnson, from the Committee on Education, made report on Senate Bill No. 324, recommending that it do pass.

Senator Willard, from the Committee on Finance, made report on Engrossed House Bill No. 48, and recommend that the same do pass.

Senator Bryant, from the Committee on Public Health, made report on Senate Bill No. 95, and recommend that the same do lie on the table.

Senator Bryant, from the Committee on Public Health, made report on Senate Bill No. 166, and recommend that the same do lie on the table.

Senator Johnson, from the Committee on Roads, made report on Senate Bill No. 301, and recommend that it be indefinitely postponed.

Senator Johnson, from the Committee on Education, made report on Senate Bill No. 215, recommending that it be indefinitely postponed.

Senator McCullough, from Committee on Judiciary, made report on Senate Bill No. 90, recommending that the bill be referred to Committee on Benevolent and Reformatory Institutions.

Senator McClure, from the Committee on Benevolent and Reformatory Institutions, made report on Senate Bill No. 90, and recommend that the same do lie on the table.

Senator Smith, of Jay, from the Committee on the Organization of Courts, made report on Engrossed House Bill No. 430, with amendments, recommending that when so amended, said bill do pass.

Senator Bryant, from the Committee on Public Health, made a report on Senate Bill No. 309, with amendments, recommending that when so amended said bill do pass.

Senator McCullough, from the Committee on Judiciary, made report on Senate Bill No. 92, and recommends that the same be referred to Committee on Benevolent and Reformatory Institutions.

Senator McClure, from the Committee on Benevolent and Reformatory Institutions, made report on Senate Bill No. 92, and recommends that it do lie on the table.

Senator Willard, from the Committee on Finance, made report on Senate Bill No. 106, and recommends that it do lie on the table.

Senator Richardson, from the Committee on Fees and Salaries, made report on Senate Bill No. 216, and recommends that it do lie on the table.

Senator Johnston, from the Committee on Roads, made report on Senate Bill No. 282, and recommend that it do lie on the table.

Senator Smith of Jay, from the Committee on Organization of Courts, made report on Senate Bill No. 246, and recommend that the same be indefinitely postponed.

Senator Richardson from the Committee on Fees and Salaries, made report on Senate Bill No. 218, recommending amendments, and that the bill do pass.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

FEBRUARY 23, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. McConnell, of Roberts Park Church, of Indianapolis.

The Journal was read in part, and on motion of Senator Sellers, the further reading of the minutes was dispensed with.

Senator Youche, from special committee, made a report on Senate Bill No. 330, in regard to State Normal School at Terre Haute, with amendments, recommending that when so amended the same do pass.

Also a minority report on same bill, recommending that the same do lay on the table.

Senator Youche, from special committee, made reports on Senate Bill No. 193. Majority report recommending that the same do lay on the table; minority report recommends that the same do pass.

Senator May asked leave of absence for Senator Johnston until to-morrow.

Granted.

Senator Foulke, from Joint Committee on Woman's Claims, made a report on Concurrent Resolution No. 19, and asked that it be made special order for 2 p. m. to-morrow.

So ordered.

Senator Duncan, of Brown, presented a petition, which was referred to Committee on Public Health, without reading.

Senator Lindley presented a petition, which was referred to Committee on Public Health, without reading.

Senator Richardson presented a petition, which was referred to Committee on Public Health, without reading.

Senator Ensley presented a petition, which was referred to Committee on Public Health, without reading.

Senator Overstreet presented two petitions, which were referred to the Committee on Public Health, without reading.

Senator Shively presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Duncan, of Tipton, presented a petition, which was referred to the Committee on Public Health, without reading.

Senator Bailey presented a claim of William H. Drapier for Brevier Legislative Reports of the debates and proceedings of the 51st, 52d and 53d General Assembly, heretofore ordered and authorized, amounting to \$18,778.81, which was referred to the Committee on Claims.

Senator Bailey presented a petition, which was referred to the Committee on Claims, without reading.

Senator Foulke offered a petition, which was referred to Committee on Public Health, without reading.

Senator Duncan, of Tipton, made report on Senate Bill No. 197, from the Committee on Education, which was referred to Committee on Public Library.

Senator Richardson, from Committee on Fees and Salaries, made report on Senate Bill No. 312, and recommended that it do lie on the table.

Senator Brown, from the Committee on Inspection and Revision of the Journal, made report as follows:

MR. PRESIDENT:

We have examined the Journal of the Senate from February 12th up to the 20th of February and find them correct.

E. W. BROWN.

Senator Thompson from the Committee on Cities and Towns, made report on Engrossed House Bill No. 108, and recommend that the same do pass.

Senator Foulke offered Senate Concurrent Resolution No. 23; referred to Committee on Judiciary.

Senator Weir from the Committee on Claims, made a report on claim of Clarke & McGauley, recommending the claim be allowed.

Report concurred in and referred to Committee on Finance.

Senator Weir from the Committee on Claims, made a report on claim of Dye & Fishback, made a report recommending that the claim be allowed.

Report concurred in, and referred to the Committee on Finance.

Senator Weir from Committee on Claims, made report on Senate Bill No. 75; referred to Committee on Finance; recommend that the same do pass; ordered printed.

Senator Weir from the Committee on Claims, made report on Senate Bill No. 320, and recommend that it do pass.

Senator Weir from the Committee on Claims, made report on Senate Bill No. 104.

Report referred to Committee on Finance.

Also, a report on Senate Bill No. 305, recommending that the same do pass.

Senator Benz introduced Senate Bill No. 331, entitled :

An act in relation to County School Superintendents, etc.

Read a first time, and referred to the Committee on Education

Senator Moon introduced Senate Bill No. 332, entitled :

An act defining the Thirty-third, Thirty-fifth and Forty-eighth Judicial Circuit of the State of Indiana, and fixing the time for holding courts therein.

Read a first time, and referred to the Committee on the Organization of Courts.

Senator Schloss introduced Senate Bill No. 333, entitled :

An act to amend an act entitled an act to provide for the crossing of railroads, the keeping in repair of such crossings, and providing for the expense thereof, approved March 7, 1873, and to provide for erecting targets at such crossings, to maintain the same, and to maintain watchmen at such crossings.

Read a first time, and referred to the Committee on Railroads.

Senator Thompson introduced Senate Bill No. 334, entitled :

An act to pay Mathew M. Campbell for extra and other services as teacher in the Indiana State University.

Read a first time, and referred to the Committee on Claims.

Senator Sellers offered the following motion :

MR. PRESIDENT :

I move that the Committee on Judiciary be ordered to return Senate Bill No. 94 at 10 o'clock A. M. to-morrow, with a report of their action thereon.

Senator McCullough moved that Senate Bill No. 94 be referred to a committee of five, with instructions to report this afternoon.

Carried.

The following committee was appointed to act as above: Senators Foulke, Fowler, Sellers, May, and Youche.

Senator McCullough moved that Engrossed House Joint Resolution be recommitted to the Committee on the Judiciary.

Carried.

Senator McCullough made report from Judiciary Committee on Engrossed House Joint Resolution No. 1.

Concurred in.

Engrossed Senate amendments to Engrossed House Joint Resolution No. 1, with amendments, was placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Johnston, Lindley, Macy, May, McCullough, McIntosh, Overstreet, Rahm, Sellers, Shively, Smith of Jennings, Thompson, Weir, Winter, Youche, Zimmerman. Total, 32.

Those voting in the negative were:

Senators McClure and Willard. Total, 2.

So the joint resolution passed.

The Chair ordered Engrossed House Joint Resolution No. 1, with amendment, together with the roll call on same, to be spread of record in full on the Journal, which is as follows, to wit:

No. 1—A Joint Resolution proposing an amendment to section 2 of Article VI of the Constitution:

Resolved by the House of Representatives, the Senate concurring, That the following amendment to the Constitution of the State of Indiana be and the same is hereby proposed and agreed to, to wit: Article to read—

SECTION 2. There shall be elected in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall severally hold their offices for a term of four years from the first day of January after

their election, and no person shall be eligible to either of said offices, except that of Surveyor, more than four years, or one term in any period of eight years: *Provided*, That in case of the appointment of any one of such officers to fill any vacancy therein such appointee shall be appointed to hold only to the first of January succeeding the next general election after such vacancy occurs.

Senator McCullough offered the following amendment to House Joint Resolution No. 1: Insert the words "and agreed to" between the words "proposed" and "to wit," now occurring in said resolution.

Amendment agreed to.

Resolved, That in submitting this amendment to the electors of the State to be voted on it shall be designated as Amendment No. 1.

Senator Bryant introduced Senate Bill No. 335, entitled:

A bill for an act concerning Abstracts of Title.

Read first time and referred to Committee on Rights and Privileges.

Senator Smith of Jennings, introduced Resolution No. 2, which was referred to a special committee with instructions to report to-morrow at 10 o'clock A. M.

The Chair appointed the following committee:

Senators Smith of Jennings, Weir, Winter, Overstreet and McIntosh.

Senator Bailey introduced Senate Bill No. 336, entitled:

An act making an appropriation for the payment of Wm. H. Drapier, Stenographic Reporter of the Brevier Legislative Reports.

Read a first time and referred to the Committee on Claims.

Senator McCullough offered Resolution No. 3.

Adopted.

Senator Smith of Jennings, gave notice that on to-morrow he would move to change the rules of the Senate, and hold night sessions.

Senate Bill No. 50 was read a second time, with report of committee recommending that the same do pass.

The report of the committee was concurred in and the bill was ordered engrossed.

Senate Bill No. 54 was read the second time, and on motion of Senator Foulke the bill was laid on the table.

The Chair announced that he had signed Engrossed House Bill No. 247.

Senate Bill No. 162 was taken up and read a second time, and on motion of Senator Foulke, the bill was referred to the Committee on Phraseology for amendment.

Senate Bill No. 58 was read a second time, together with the report of the committee.

The report of the committee was concurred in, and the bill ordered engrossed.

Senate Bill No. 70 was read a second time, together with the report of the committee, which report was concurred in, and the bill was ordered engrossed.

Senate Bill No. 77 was read a second time, together with the report of the committee, which report was concurred in, and the bill was ordered engrossed.

Senate Bill No. 81 was read a second time, together with the report of the committee, which report was concurred in.

Senator Sellers offered the following amendment to Senate Bill No. 81:

Strike out all of section 1 of line 2, and insert the following:

Section 10. The number of Justices of the Peace in each township, two, and one in addition thereto for each incorporated city and town therein: *Provided*, That the whole number of Justices shall not exceed four in any township.

Which amendment was adopted, and the bill as amended was ordered engrossed.

On motion of Senator Willard, the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 23, 1885.

The Senate met pursuant to adjournment, Lieutenant-Governor Manson in the chair.

Senator Fowler offered the following resolution:

WHEREAS, Senate Bill No. 134, was introduced in this body January 19, 1885, and on the same day referred to the Committee on Railroads; and,

WHEREAS, Said committee has as yet made no report on said bill, though the same should have been reported on last Thursday morning, in accordance with an agreement between the author of said bill and said committee; and,

WHEREAS, Said bill is believed to be of great importance to the agricultural, shipping and other industries of the State; therefore, be it

Resolved, That said committee be and it is hereby most respectfully requested to return said bill to the Senate, and that when so returned, the same be referred to the Committee on the Judiciary.

FOWLER.

Not adopted.

Senator Foulke asked leave of absence for Senator Schloss until Wednesday.

Granted.

Senate Bill No. 178 was made a special order for 10:30 o'clock to-morrow morning.

Senator Smith, of Jay, introduced Senate Bill No. 337, entitled:

An act authorizing Boards of County Commissioners to audit and allow claims in certain cases.

Read a first time and referred to a special committee of three, as follows:

Senators Smith of Jay, Marshall, and Richardson.

Senate Bill No. 269, was read a second time, together with the following report of the Committee on Organization of Courts :

MR. PRESIDENT :

Your Committee on Organization of Courts, to whom was referred Senate Bill No. 269, introduced by Senator May, for "an act to fix the times of holding Courts in the Second Judicial Circuit of the State of Indiana, fixing the length of terms thereof, providing for the return of process therein, repealing all laws in conflict with this act, and declaring an emergency," have had the same under consideration, and a majority of said committee direct me to report said bill to the Senate, with the recommendation that the same do pass.

SMITH of Jay,
Chairman.

Report concurred in.

Senator Richardson moved that the constitutional rule be suspended, the bill considered engrossed, read a third time and put upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Drake, Duncan of Tipton, Duncan of Brown, Hilligass, Howard, Huston, Johuston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Youche, and Zimmerman. Total, 37.

None voting in the negative.

So the constitutional rule was suspended.

Engrossed Senate Bill No. 269 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston,

Johnston, Macy, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Youche, and Zimmerman. Total, 39.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Hilligass moved to recommit Senate Bill No. 88 to the Committee on Military Affairs, with the following amendment, with instructions to report this afternoon at 4 o'clock :

That section 63 be amended to read as follows :

Section 63. Boards of County Commissioners may, at an annual expense of not exceeding three hundred dollars, provide for each company or battery within the limits of their respective jurisdiction, in a convenient location, a suitable armory for the purpose of drill, and for the quartering of such company when called into service, and for the safe keeping of the arms, equipments and military property of the company, with a suitable room for the transaction of business and keeping of books, together with a suitable allowance for fuel and lights: *Provided*, That said Board of County Commissioners may grant each company in lieu of the above provisions, in counties of less than 20,000 population, the sum of one hundred and twenty-five dollars; in counties of more than 20,000 population and less than 30,000 population, the sum of two hundred and fifty dollars; in counties of more than 30,000 population, three hundred dollars: *And provided further*, That this section shall not be construed to authorize the Boards of County Commissioners to erect any armory, but only to authorize them to provide the same by renting or leasing suitable halls, rooms or buildings. Armories so provided for the militia shall be under the exclusive control and management of the commanding officer of the company, battery or troop occupying such armory or hall used as such.

Also, to strike out all of section No. 74.

Carried.

Senator Bailey moved that House Bill No. 56 be referred to the Committee on Cities and Towns.

Carried.

The President presented a communication in reference to American exhibition in London.

Which was read and referred to the Committee on Federal Relations.

Senator Ernest moved to take up House Bill No. 83, that the constitutional rules be suspended, the bill be read a second time, be considered engrossed, be read the third time by sections and placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 42.

No one voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 83 was read a second time, together with the following report of the Committee on Organization of Courts:

MR. PRESIDENT:

Your Committee on Organization of Courts, to whom was referred Engrossed House Bill No. 83, for "An act to fix the time of holding Court in the Fourteenth Judicial Circuit," have had the same under consideration, and a majority of said committee direct me to report said bill to the Senate with the recommendation that the same do pass.

SMITH of Jay,
Chairman.

Report concurred in.

Engrossed House Bill No. 83 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Magee, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter, Youche, Zimmerman. Total, 41.

None voting in the negative.

So the bill passed.

The title as read was adopted.

On motion of Senator May, Senate Bill No. 114 was read a second time, together with the following report of the Committee on Corporations.

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 114, introduced by Senator May, for "An act authorizing and empowering incorporated towns to issue bonds for the erection of bridges and sewers within such corporations, providing for the sale thereof, and the levying of taxes for the payment of the same, and other matters connected therewith, and declaring an emergency," have had the same under consideration, and a majority of said committee recommend the following amendments, to wit:

First—In the title of the bill, after the words "incorporated towns," in the second line of said title, insert the words "having a population of 1,800 and over, according to the last census taken by the United States."

Second—After the words "in this State," in section 1 of said bill, insert the words "having a population of 1,800 and over, according to the last census taken by the United States."

Third—After the words “Board of Trustees of said incorporated town,” in said section 1, insert the words “upon the petition of a majority of the resident tax-payers within said town.”

And I am directed by a majority of said committee to report said bill to the Senate with the recommendation that the same, after being so amended, do pass.

L. S. NULL,
Chairman.

Report concurred in and the bill ordered engrossed.

Senator Magee moved that the constitutional rule be suspended and that House Bill No. 17 be taken up and read a third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard, Winter, Youche, Zimmerman
Total, 41.

None voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 17 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough,

McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard, Youche and Zimmerman. Total, 34.

None voted in the negative.

So the bill passed.

The title was read, and, on motion, the bill was referred to the Committee on Phraseology.

Senator Foulke offered the following amendment to Rule No. 1:

MR. PRESIDENT:

I move to amend Rule No. 1 by substituting for the word "ten" the words "half-past nine."

Senator McCullough offered the following amendment:

MR. PRESIDENT:

I move to amend the motion offered by the Senator from Wayne, by affixing after the word "nine" in said motion these words, and also by inserting in said rule after the word "afternoon" the words "and at seven and one-half o'clock in the evening."

Senator Willard moved to lay the whole matter on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Day, Duncan of Tipton, Faulkner, Howard, Lindley, May, Null, Shively, Smith of Jay, Weir, Willard, Youche, Zimmerman. Total, 14.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Macy, Marshall, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Smith of Jennings, Thompson, Winter. Total, 26.

So the motion was lost.

Senator Hilligass offered the following substitute:

MR. PRESIDENT:

I move to amend by inserting 9 o'clock in place of 9:30 o'clock.

Lost.

The question being on the amendment of Senator McCullough.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Drake, Ensley, Ernest, Foulke, Fowler, Hill, Huston, Macy, Magee, McClure, McCullough, McIntosh, Peterson, Richardson, Schloss, Smith of Jennings, Thompson. Total, 21.

Those voting in the negative were:

Senators Benz, Day, Duncan of Tipton, Duncan of Brown, Faulkner, Hilligass, Howard, Lindley, Marshall, May, Null, Overstreet, Rahm, Sellers, Shively, Smith of Jay, Willard, Winter, Youche, Zimmerman. Total, 20.

So the amendment to Rule 1 was adopted.

The next question being on Senator Foulke's amendment.

The question being put, the same was adopted.

Senator Foulke moved that when the Senate adjourn it be until 9:30 to-morrow morning.

Carried.

The Committee on Military Affairs made report on Senate Bill No. 88.

Senator Hilligass moved that the report be concurred in and amendments ordered engrossed.

Carried.

Senator Sellers from Committee on Phraseology, etc., to whom was referred House Bill No. 17, recommend that the following be adopted as the title of the same:

An act legalizing the appointment and acts of trustees in certain cases and declaring an emergency.

SELLERS,
Chairman.

Concurred in and title as amended adopted.

Senator Sellers from the Committee on Phraseology, to which was referred House Bill No. 7, recommend that the title of said bill be stricken out and the following be adopted as the title of said bill, to wit:

An act to amend section 38 of an act entitled an act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852, (being section 1464 of the Revised Statutes of 1881.)

SELLERS,
Chairman.

Title adopted as amended.

Senate Bill No. 31 was read a second time together with a report recommending amendments, and when so amended that the bill do pass.

Report concurred in and bill ordered engrossed with amendments.

Senate Bill No. 35 was read a second time together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 35, introduced by Senator McCullough, for an act concerning bridges and culverts, have had the same under consideration, and a majority of the committee direct me to report said bill to the Senate, with the recommendation that the same do pass.

JOHNSTON,
Chairman.

Report concurred in and bill ordered engrossed.

Senate Bill No. 82 was read a second time, together with the report of the committee with amendments.

Senator Drake moved that the amendment of the committee be stricken out.

Senator Sellers moved to amend by referring the whole question to the Committee on Phraseology.

Carried.

Senate Bill No. 83 was, on motion of Senator Bailey, laid on the table.

Senate Bill No. 86 was read a second time, together with the following report of the Committee on Corporations:

MR. PRESIDENT:

Your Committee on Corporations, to whom has been referred Senate Bill No. 86, introduced by Senator Hill, for an act to amend section two of an act entitled an act to authorize cities and incorporated towns to construct, maintain and operate water works, issue and sell bonds to pay for such construction, etc., have had said bill under consideration, and a majority of the committee direct me to report said bill with the recommendation that it do pass.

L. S. NULL,
Chairman.

Report concurred in and bill ordered engrossed.

Senate Bill No. 87 was read a second time, together with the following report of the Committee on Corporations:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 87, introduced by Senator Hilligass, report that we have had the same under consideration, and recommend that said bill do pass.

NULL,
Chairman.

Report concurred in and bill ordered engrossed.

Senate Bill No. 97 was read a second time, together with the following majority and minority report of the Temperance Committee.

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 97, report that they have had the same under consideration, and direct me to report that the same be indefinitely postponed.

W. CLINTON THOMPSON,
Chairman.

MR. PRESIDENT:

The undersigned, constituting a minority of your Committee on Temperance, to whom was referred Senate Bill No. 97, "A bill for an act to amend section 5 of an act to regulate the granting of license to sell intoxicating liquors, so as to require the payment of \$500 for license to sell spiritous, vinous and malt liquors, and \$200 to sell vinous and malt liquors," respectfully report that they have had said bill under advisement, and recommend that said bill do pass.

W. J. DAVIS.

J. W. YOCHE.

Senator Campbell of Hendricks moved that the minority report be substituted for the majority.

Senator Sellers moved that the motion of Senator Campbell be laid on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Howard, Johnston, Magee, McClure, McCullough, McIntosh, Null, Rahm, Richardson, Sellers, Smith of Jennings, Thompson, Weir, Willard and Zimmerman. Total, 25.

Those voting in the negative were:

Senators Campbell of Hendricks, Drake, Duncan of Brown, Ensley, Foulke, Lindley, Macy, Marshall, Overstreet, Peterson, Shively, Smith of Jay, Winter and Youche. Total, 14.

So the motion carried.

Senator Rahm moved that the majority report be adopted.

Senator Smith of Jay raised a point of order, and stated that the motion to lay on the table had carried the whole matter to the table.

The chair ruled that the motion of Senator Rahm was in order.

Senator Smith of Jay appealed from the decision of the chair.

Senator Campbell of Hendricks moved to lay the appeal on the table.

Carried.

The question being on the motion of Senator Rahm to adopt the majority report.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Howard, Johnson, Magee, May, McClure, McCullough, McIntosh, Null, Rahm, Richardson, Sellers, Smith of Jennings, Thompson, Weir, Willard and Zimmerman. Total, 27.

Those voting in the negative were:

Senators Campbell of Hendricks, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Overstreet, Peterson, Smith of Jay, Winter and Youche. Total, 14.

So the motion was carried.

Senate Bill No. 89 was read a second time, together with the following reports of the Committee on County and Township Business and the special committee:

MR. PRESIDENT :

Your special committee, to whom was referred Bill No. 89, recommend that the following amendments be made thereto by inserting in line 17, on page 2 (printed bill). after the word "also" the following:

At the end of each year pay into the State Treasury all fees or other sums of money which have remained unclaimed for one year after payment of the same, which fees or other sums of money may be reclaimed from the State Treasury by the person entitled thereto, upon the warrant of the Auditor of State, to be issued upon proof being made to his satisfaction of the identity of such person.

And by inserting in line 28, immediately after the word "person," the following :

Having fees taxed for or against him on any such fee book, cash book, or register, or any person legally authorized by any such person so interested as aforesaid.

And strike out all of section 2, on page 2, after the word "dollars" in line 32.

And that when so amended the same do pass.

MAGEE,
MACY,
McINTOSH.

Senator McIntosh, from the Committee on County and Township Business, presented the following report:

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 89, introduced by Senator Macy, report that we have had the same under advisement, and recommend that said bill be amended as follows :

That there be inserted in the enacting clause, immediately after the figures 1852: being sections 5825 and 5830 of the Revised Statutes of 1881.

And when so amended the same do pass.

McINTOSH,
Chairman.

The State Librarian presented the following communication :

INDIANAPOLIS, IND., February 23, 1885.

MR. PRESIDENT :

I am this day in receipt of (from A. J. Kelly, Principal Secretary of the Senate, for the use of the next General Assembly) one hundred copies of the rules for the government of the State Senate.

LIZZIE O. CALLIS,
Librarian.

On motion the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

FEBRUARY 24, 1885.

The Senate met in regular session at 9:30 A. M., Lieutenant-Governor Manson in the chair.

The session was opened with prayer by the Rev. L. F. Cain, Chaplain of the Prison South.

The journal was read in part, and, on motion of Senator Fowler, the further reading was dispensed with.

Senator Ensley, from the special committee on Senate Bill No. 328, made a report on said bill, recommending that the same do pass.

Senator Magee, from the Committee on Finance, made a majority report on Senate Bill No. 250, with amendments, recommending that the bill do pass.

Senator Willard made a minority report on the same bill, recommending that the same lay on the table.

Senator McCullough, from the Judiciary Committee, made a report on Senate Resolution No. 1, recommending that no action be taken on said resolution.

Senator McCullough, from the same committee, made a report on Senate Resolution introduced by Senator May, on Supreme Court, recommending the passage of the following bill reported by the committee.

Senator McCullough introduced Senate Bill No. 339, entitled :

An act to repeal an act concerning the Supreme Court, approved March 3, 1883.

Senator McCullough, from the Committee on Judiciary, made a report on Senate Bill No. 322, with amendments, recommending that, when amended, the bill do pass.

Senator McCullough, from the same committee, made a report on Senate Bill No. 45, with a substitute bill, recommending that the same do pass.

A minority report was also made on Senate Bill No. 45, with amendments, and recommending that, when so amended, the bill do pass.

Senator Weir moved that Senate Bill No. 45, with amendments, be engrossed.

Senator McCullough moved to amend by substituting minority for majority report.

Senator Willard moved that Senate Bill No. 45 be made a special order for next Thursday at 10 o'clock A. M.

Carried.

Senator Smith, of Jennings, made the following report from the special committee appointed to draft a bill for regulating the Soldiers' Orphans' Home.

MR. PRESIDENT:

Your special committee, appointed to draft and introduce a bill to reorganize the Asylum for Feeble-Minded Children and Soldiers' Orphans' Home, do hereby recommend the passage of the following bill, No. 338:

A. G. SMITH,
Chairman.

Senator Smith, of Jennings, introduced Senate Bill No. 338, entitled:

An act to amend section 1 of an act entitled an act to amend section 104 of an act entitled an act to provide for the organization and support of an Asylum for Feeble-Minded Children, etc.

Read first time, and made special order for this Tuesday evening at 7:30 o'clock.

Senator Smith, of Jennings, moved that the constitutional rules be suspended and Senate Bill No. 338 be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

Senator Winter moved that Senate Bill No. 338 be printed and made the special order for 7:30 o'clock this p. m.

Carried.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 14, in relation to the improvement of the channels of the Kankakee and Little Wabash, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

The President announced that he had signed Engrossed Senate Bill No. 18.

The hour having arrived for the special order for 10:30 this morning, being Senate Bill No. 254, the same was taken up.

Senate Bill No. 254 was read a second time, together with the following report of the committee :

MR. PRESIDENT:

Your Committee on Prisons, to whom was referred Senate Bill No. 254, introduced by Senator Hoover, report that we have had the same under consideration, and recommend that said bill do pass.

HOOVER,
Chairman.

Senator Campbell, of St. Joseph, offered the following amendment:

MR. PRESIDENT:

I move to amend section 1 of Senate Bill No. 254 as follows: In lines 2 and 3 of the printed bill, strike out the words "or who may hereafter be convicted and confined in the State prisons of Indiana." In lines 4 and 5, of section 1, strike out the words "twenty-five years" and insert "thirty years."

Adopted.

Senator Campbell, of St. Joseph, offered the following amendment to Senate Bill No. 254:

MR. PRESIDENT:

I move to amend the title to Senate Bill No. 254 as follows—let the title be:

An act for the encouragement of life-time convicts confined in the State Prison of Indiana and the Indiana Reformatory for Women and Girls, and to amend section 3 of an act entitled an act concerning public offenses and their punishment, approved April 14, 1881.

Adopted.

Senator Campbell, of St Joseph, offered the following amendment to Senate Bill No. 254:

MR. PRESIDENT:

I move that section 5 of Senate Bill No. 254 read as follows: Section 5.

Section 3 of the above entitled act shall be amended to read as follows:

Whoever purposely and with premeditated malice, or in the perpetration of or attempt to perpetrate any rape, arson, robbery or burglary, or by administering poison, or causing the same to be done, kills any human being, is guilty of murder in the first degree, and upon conviction thereof shall suffer death or be imprisoned in the State Prison during life, or be imprisoned in the State Prison a term of years, not less than thirty years, in the discretion of the jury. Also, make section 5 of the original bill section 6, and the emergency clause section 7.

Adopted.

The question being, Shall Senate Bill No. 254 be engrossed?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of St. Joseph, Duncan of Tipton, Duncan of Brown, Faulkner, Foulke, Hoover, Johnson, Lindley, Macy, Magee, Marshall, Null, Peterson, Rahm, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter. Total, 25.

Those voting in the negative were :

Senators Brown, Campbell of Hendricks, Davis, Day, Drake, Ensley, Ernest, Fowler, Hilligass, Huston, Johnston, May, Moon, McClure, McCullough, McIntosh, Overstreet, Richardson, Sellers, Youche, Zimmerman. Total, 21.

So the bill was ordered engrossed.

The special order being Senate Bill No. 178, the same was taken up.

Senate Bill No. 178 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

The members from the Senate of the Joint Committee on Public Buildings, to which was referred Senate Bill No. 178, appropriating \$10,000 for Mrs. Sarah May, having considered the same and consulted with all of the State House Commissioners, concur with all of these gentlemen in unanimously recommending that the bill do pass after the appended amendments shall have been made. Your committee deem it proper to explain that the members of the joint committee from the House did not act with the committee in the consideration of the bill, as it was found that a similar bill had been referred to the House Committee on Claims, and they preferred to leave the consideration of the bill with their Committee on Claims.

Respectfully submitted,

SILAS PETERSON,
MARVIN CAMPBELL,
JOHN M. SMITH.

Amend Senate Bill No. 178, after the word "appropriation," line 11, page 1, insert, to Mrs. Sarah May; in line 14, page 1, cancel, to Mrs. Sarah May; after the word favor, in line 18, page 1, insert, and charge the same to the New State House Fund; in line 9, page 2, cancel the word wife, and insert therefor the word widow.

Senator Richardson was called to the chair temporarily.

Senator Sellers, from the Committee on Phraseology, etc., made the following report :

MR. PRESIDENT:

Your committee have had under consideration Senate Bill No. 114, beg leave to recommend that the words, "said board of trustees," be inserted between the words, "and" and "shall" in line 14, on page 3, of said bill.

SELLERS.

Chairman.

Senator Brown presented the following report:

MR. PRESIDENT:

Your Committee on the Inspection and Supervision of the Journal, beg leave to make the following report: We have examined the following journals—Friday, 20th; Saturday, 21st; Monday, 23d, and find them correct.

ELI W. BROWN,

Chairman.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Bill No. 17.

H. C. DARNELL,

Principal Clerk.

Senator Foulke moved that the Senate adjourn.

Carried.

AFTERNOON SESSION.

FEBRUARY 24, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair.

The President presented the following communication:

MR. PRESIDENT:

I suggest the following hold-over Senators as the Committee to re-district the State for Judicial purposes, and equalize the labor of Circuit Judges:

Fowler, of Owen.
 Weir, of Laporte.
 Brown, of Whitley. •
 Smith, of Jennings.
 Rahm, of Vanderburgh.
 Winter, of Marion.
 Macy, of Randolph.
 Marshall, of Fountain.
 Duncan, of Tipton.

Senate Bill No. 178 being the unfinished business from the morning session, the same was taken up.

Senator Campbell, of St. Joseph, presented the following communication, which was ordered to be spread upon the Journal as follows :

INDIANAPOLIS, February 15, 1885.

To the Indiana General Assembly :

GENTLEMEN—We are informed that some persons claim that money ought not to be appropriated to pay Mrs. Sarah May the amount of the claim allowed to her by the last Legislature, because they think the money ought to be paid to us. We wish to say to you that we are the only children of Edward May, deceased. The claim is just and ought to be paid to father's widow, Mrs. Sarah May. If you pay her we will regard it as a full payment of all claims due from the State on account of State House to our father, his heirs or representatives.

We hope the claim will be promptly paid.

Respectfully,

JUNE MAY BIXBY.

EDWIN F. MAY.

Attest :

W. M. HERROD.

The following communication was received from the Governor :

EXECUTIVE DEPARTMENT,
 INDIANAPOLIS, February 24, 1885.

Gentlemen of the Senate :

Pursuant to the provisions of the Revised Statutes of 1881, section 6163, I have the honor to appoint Mrs. Martha M. James, of Delaware county, a member of the Board of Mana-

gers of the Indiana Reformatory Institution for Women and Girls, and to serve as such for a term of four years from the 3d day of March, 1885, and until her successor shall have been appointed and qualified, and I now submit such appointment to the Senate for its confirmation.

ISAAC P. GRAY,
Governor.

Referred to the Committee on Executive Appointments.

Senator Overstreet presented the following amendment to Senate Bill No. 178:

MR. PRESIDENT:

I move to amend the bill No. 178 by striking out "ten thousand dollars" where it occurs in the bill, and insert in lieu thereof "four thousand dollars."

Senator Smith of Jennings presented the following report:

MR. PRESIDENT:

I have examined Enrolled Act No. 17, and have found the same correctly enrolled:

A. G. SMITH.

Senator Weir demanded the previous question.

Which was seconded.

The main question was then demanded and seconded.

The question being on the amendment offered by Senator Overstreet.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bryant, Duncan of Tipton, Fowler, Hill, Hoover, Howard, Johnston, Macy, McClure, McCullough, McIntosh, Overstreet, Rahm, Zimmerman. Total, 15.

Those voting in the negative were:

Senators Adkinson, Bailey, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hilligass, Huston, Johnston,

Lindley, Magee, Marshall, May, Moon, Null, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche. Total, 33.

So the motion was lost.

The question now being, Shall the bill be engrossed?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Ensley, Foulke, Hilligass, Howard, Huston, Lindley, Magee, Marshall, Moon, Peterson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Mr. President. Total, 25.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Duncan of Tipton, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hoover, Johnson, Johnson, Macy, May, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Sellers, Youche, Zimmerman. Total, 24.

So the bill was ordered engrossed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following bills:

House Bill No. 154, to regulate foreign surety companies doing business in this State.

House Bill No. 158, to legalize the incorporation of the town of Bourbon, in Marshall county, Indiana.

Also House Bill No. 153, to authorize the acceptance of surety companies as sureties upon bonds.

Also House Bill No. 90, to empower associations or corporations to establish homes for aged people.

Also Senate Concurrent Resolution No. 20.

Also House Bill No. 167, to appropriate \$1,013 for the claim of Carlon & Hollenbeck.

And the same are transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Youche moved that when the Senate adjourn this p. m., it be until to-morrow morning at 9:30.

Carried.

Senator Foulke moved that the special order for 10 o'clock to-day, the same being the consideration of Resolution No. 19, be set for Thursday at 2 p. m.

Carried.

Senator Smith, of Jennings, moved that the constitutional rules be suspended and Senate Bill No. 339 be read a second time by title, considered engrossed and read a third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Day, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill; Hilligass, Hoover, Johnson, Lindley, Magee, May, McCullough, McIntosh, Null, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter and Zimmerman. Total, 31.

Those voting in the negative were:

Senators Campbell of St. Joseph, Davis, Duncan of Tipton, Hilligass, Huston, Johnson, Macy, Marshall, McClure, Overstreet, Willard and Youche. Total, 12.

So the constitutional rules were not suspended.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 422, to divide the State of Indiana into congressional districts, and repealing all laws in conflict therewith and the same is transmitted to the Senate for action.

H. C. DARNELL,
Clerk.

The special order now being the consideration of Senate Bill No. 330, the same was taken up.

Senator Campbell, of Hendricks, offered a substitute for Senate Bill No. 330. The same was read a first time by sections, a second time by title.

The question being, Shall the bill be engrossed?

Senator Sellers from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., having had under consideration Senate Bill No. 162, recommend that all of said bill following the enacting clause be stricken out and the following inserted, to wit:

That section 1 of the above entitled act be and the same is hereby amended to read as follows:

SECTION 1. A Board is hereby created and established which shall be known under the name of the State Board of Health. It shall consist of five members who shall be appointed by the Governor, with the consent of the Senate, and whose terms of office shall be for four years: *Provided*, That nothing in this act shall be construed to vacate the office of any member of said Board appointed under the provisions of the act approved March 7, 1881, of which this is amendatory, whose terms of office shall not have expired under the provisions of said act approved March 7, 1881.

SEC. 2. That section 4 of the above entitled act be and the same is hereby amended to read as follows: **Sec. 4.** At their first meeting or as soon as a competent and suitable person can be secured, the Board shall elect a Secretary, who shall by virtue of such election become the executive officer of the Board, and shall serve for two years, unless removed for satisfactory cause by a vote of three members of said Board.

SEC. 3. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage.

Adopted.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT: •

Your Committee on Phraseology, etc., having had under consideration Senate Bill No. 82, recommend that section 2 of

said bill, being the section recommended by the Committee on Swamp Lands and Drainage, be stricken out, that section 3 be numbered section 2, and that the bill when so amended do pass.

SELLERS,
Chairman.

Adopted.

Senator Magee moved that 200 copies of Senate Bill No. 250 be printed together with the two reports.

Carried.

Senator Willard, from the Committee on Finance made a report on Senate Bill No. 327, recommending that the same do pass.

Senator Willard, from same committee, made reports on Senate Bills No. 299 and 104, recommending that they do pass.

On motion of Senator Sellers, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

FEBRUARY 25, 1885.

The Senate met in regular session at 9:30 A. M., Lieutenant-Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Hickman, of St. Joseph.

The journal was read in part, and, on motion of Senator Sellers, the further reading was dispensed with.

Senator Peterson moved to take up Engrossed House Bill No. 66, and read a first time by sections, suspend constitutional rules, read a second time by title, and read a third time by sections and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Davis, Day, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Willard and Zimmerman. Total, 36.

None voted in the negative.

So the rules were suspended.

Senator Campbell, of Hendricks, asked leave of absence for Senator Drake.

Granted.

Senator Smith, of Jennings, asked leave of absence for Senator Schloss.

Granted.

Senator Ernest asked leave of absence for Senator Bryant.

Granted.

Engrossed House Bill No. 66 was read a first time by sections, constitutional rule was suspended, bill read a second time by title, a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Day, Duncan of Brown, Ensley, Foulke, Hilligass, Hoover, Howard, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, Peterson, Rahm, Sellers, Shively, Smith of Jay, Smith of Delaware, Weir, Willard, Winter, Youche, Zimmerman. Total, 30.

Those voting in the negative were:

Senators Benz, Davis, Duncan of Tipton, Ernest, Faulkner, Fowler, Hill, Johnston, McCullough, McIntosh, Null, Overstreet, Richardson, Smith of Jennings, Thompson. Total, 15.

So the bill passed.

The title, as read, was adopted.

Senator McCullough offered the following resolution:

WHEREAS, The Department Encampment, G. A. R. of Indiana, will meet at Indianapolis at 2 o'clock of the present day, and many members thereof and old soldiers of the Union will be in the city during the present day and to-morrow; therefore, be it

Resolved, That the freedom of the floor of this Senate be tendered to said members and soldiers during the present and succeeding day.

Adopted.

Senator Smith of Jay made the following majority report from the special committee on Senate Bill No. 337:

MR. PRESIDENT:

The undersigned, a majority of the special committee to whom was referred Senate Bill No. 337, have had the same under consideration, and we return the bill with the recommendation that the same be amended by striking out all in line 5, after the word sustained, to and including the word sustained, in line 6; also after the word fire, in line 6, the words "or otherwise;" also after the word State, in line 7, the words "or held or detained in the performance of any public duty," and when so amended we recommend that the bill do pass.

JNO. M. SMITH,
E. P. RICHARDSON,
ANDREW MARSHALL.

Concurred in and bill ordered engrossed.

The President presented a petition from citizens of Allen county on the subject of oleomargerine, which was referred to the Committee on Public Health without reading.

The regular order was taken up, the same being bills on third reading.

Senate Bill No. 1 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Tipton, Ensley, Foulke, Hoover, Huston, Macy, Magee, Marshall, Moon, Overstreet, Peterson, Smith of Delaware, Winter and Youche. Total, 18.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Howard, Johnston, May, McClure, McCullough, McIntosh, Null, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Zimmerman. Total, 24.

So the bill did not pass.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., beg leave to recommend that the words "in the State Prisons of Indiana" be inserted between lines 5 and 6 of section 1.

SELLERS.

Engrossed Senate Bill No. 12 was read a third time and put upon its passage.

The question being, Shall the bill pass?

Senator Youche moved that Senate pass to consideration of next bill, and that No. 12 be again taken up.

Carried.

Engrossed Senate Bill No. 15 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Day, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Lindley, Marshall, Moon, McClure,

McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, and Zimmerman. Total, 38.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report :

MR. PRESIDENT :

Your Committee on Phraseology, etc., having had under consideration Senate Bill No. 70, beg leave to recommend that the word "unexpended" be inserted between the words "the" and "balance," in line 4 of said bill.

SELLERS,
Chairman.

Concurred in.

Engrossed Senate Bill No. 20 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Davis, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Howard, Johnson, Marshall, Moon, McCullough, McIntosh, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard, Winter. Total, 25.

Those voting in the negative were :

Senators Benz, Brown, Campbell of St. Joseph, Day, Duncan of Tipton, Faulkner, Hill, Hoever, McClure, Null, Overstreet, Peterson, Smith of Delaware, Weir, Zimmerman. Total, 15.

So the bill failed to pass for want of a constitutional majority.

Senator Foulke moved that Engrossed House Bill No. 70 be substituted for Engrossed Senate Bill No. 28.

Carried.

Engrossed House Bill No. 70, substituted for Engrossed Senate Bill No. 28, was read third time, together with the following report of the special committee:

MR. PRESIDENT:

Your special committee to which was referred House Bill No. 70, an act relating to live stock, importing, breeding and herding companies, etc., beg leave to report that following and coming after section 6 of said bill, the following numbered section 7 shall be inserted:

Section 7. Each stockholder and member of such corporation shall be immediately liable to creditors of the corporation to the amount of the unpaid stock subscribed by him; and for an additional amount equal to the face value of the stock subscribed by him.

And further, that section 7 of said House Bill 70, be numbered section 8.

And your committee recommends that when said bill be so amended it do pass.

LEON O. BAILEY.

On motion of Senator Faulkner, the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 25, 1885.

Senate met pursuant to adjournment, Lieutenant Governor Manson in the chair.

Senator Smith, of Delaware, asked that Senate Bill No. 320 be referred to Committee on Finance.

Granted.

Senator Shively, from the Committee on Executive Appointments, made the following report:

MR. PRESIDENT:

Your Committee on Executive Appointments, to whom was referred the message of the Governor, appointing Mrs. Martha

M. James a member of the Board of Managers of the Indiana Reformatory Institution for Women and Girls, for the term of four years, beg leave to make the following report, viz: That we recommend that said appointment be confirmed by the Senate.

JAMES S. SHIVELY,
Chairman.

Concurred in.

Senator Richardson, from the Committee on Judiciary, made a report on Senate Bill No. 10, recommending that the same do lie on the table.

Concurred in.

Senator Day, from the Committee on Congressional Apportionment, made report on Senate Bill No. 167, recommending that the same do lie on the table.

Also, on Senate Bill No. 198, recommending that the same do lie on the table.

Senator Day, from the Committee on Congressional Apportionment, made report on Senate Bill No. 135, with amendments, recommending that when so amended it do pass.

Senator Day, from the Committee on Congressional Apportionment, would recommend that Senate Bills Nos. 167 and 198 do lie upon the table, and that Senate Bill No. 135, with the following amendments, be adopted as per amendments herewith attached: Strike out sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, and we recommend that the bill do pass.

JOHN S. DAY, Chairman.
J. P. MCINTOSH.
C. K. FAULKNER.
E. P. RICHARDSON.
PHILIP SCHLOSS.
W. C. DUNCAN.

Senator Youche offered the following amendment to Senate Bill No. 12:

SEC. 3. If animals are killed or injured on the track of such railroad by the cars or locomotives thereof, the company owning or operating such railroad, such company shall not be

liable to pay damages therefor if such animal entered upon the track of such railroad through such gates, unless it shall be proved that such killing or injury was caused by the negligence of the servants of the company owning or operating such railroad. Such owner shall keep such gates securely closed, and for any accident or damage to persons or property arising from any negligent or failure on his part or on the part of his employes in keeping such gates closed, he shall be liable to the persons damaged.

Adopted.

The question being on the passage of Engrossed Senate Bill No. 12, with amendments, the roll being called resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Duncan of Tipton, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Magee, May, Moon, McClure, Null, Overstreet, Rahm, Richardson, Sellers, Shively, Thompson, Youche and Zimmerman. Total, 30.

Those voting in the negative were:

Senators McIntosh, Peterson, Smith of Jennings, Smith of Delaware, Weir, Willard and Winter. Total, 7.

So the bill passed.

The title was read, and the following amendment was offered by Senator Youche, which was adopted, and the title so amended was adopted as the title of the bill:

Senator Youche offered the following amendment to the title of Senate Bill No. 12, to wit:

A bill to authorize owners of tracts of land separated by the right of way of a railroad company to construct wagon and drive ways over such rights of way, and providing who shall and who shall not be liable for animals killed or injured, or damages done on such railroad in certain cases.

The title as amended was adopted.

The question being on the passage of Engrossed House Bill No. 70 (substituted by the report of committee for Engrossed Senate Bill No. 28).

The roll being called resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Davis, Day, Duncan of Tipton, Ensley, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Magee, Marshall, May, Null, Overstreet, Richardson, Sellers, Thompson, Weir, Winter. Total, 24.

Those voting in the negative were:

Senators Benz, Brown, Campbell of St. Joseph, Duncan of Brown, Ernest, Faulkner, Hill, Howard, Moon, McClure, McIntosh, Peterson, Rahm, Smith of Jennings, Willard, Youche and Zimmerman. Total, 17.

So the bill failed to pass for want of a constitutional majority.

Senator Smith, of Jennings, moved that Senate Bill No. 338 be read a first time by sections, the constitutional rules be suspended, the bill read a second time by title, be considered engrossed, read a third time by sections and placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Duncan of Hamilton, Duncan of Brown, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnson, Johnston, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Smith of Jennings, Thompson, Weir, Winter, Youche and Zimmerman. Total, 38.

So the constitutional rules were suspended.

Senator Smith, of Jennings, offered the following amendment to Senate Bill No. 338:

MR. PRESIDENT:

I move to amend the bill as follows:

Strike out in line 32, section 1, the words, "Under the direction of the Board."

Insert in section 1, line 34, after the word "finance," the following:

"And said Superintendent shall cause to be established and spread on record in said institution, subject to the approval of the Board of Trustees, proper rules and regulations for the government and management of said institution, which said rules and regulations shall be exercises of said institution, and printed copies thereof posted in three conspicuous places therein, and said Superintendent shall, for cause, have the power to remove, suspend or discharge any employe under his charge.

Adopted.

Senator Adkinson offered the following amendment No. 1 to Senate Bill No. 338:

Those voting in the affirmative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Tipton, Ensley, Foulke, Fowler, Hoover, Huston, Johnson, Magee, Marshall, Moon, Overstreet, Rahm, Smith of Delaware, Weir, Winter, Youche. Total, 20.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Howard, May, McClure, McCullough, McIntosh, Null, Peterson, Richardson, Sellers, Smith of Jackson, Smith of Jay, Thompson, Willard, Zimmerman. Total, 24.

So the amendment was lost.

Senator Winter offered the following amendment No. 2 to Senate Bill No. 338:

Amend by striking out the words "first day of January," wherever they occur, and insert in lieu thereof "first day of February.

Adopted.

Senate Bill No. 338 was read first time by sections, second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Duncan of Tipton, Duncan of Brown, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Johnson, Magee, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 39.

Those voting in the negative were:

Senators Davis, Huston, Marshall. Total, 3.

So the bill passed.

The title as read was adopted.

Senator Willard moved the previous question, which was seconded, and the main question ordered put.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has refused to concur in the Senate amendments to House Bill, No. 327, and asks for a conference committee upon the part of the House and Senate upon this bill, and on the part of the House Messrs. McMullen and Adams have been appointed by the Speaker.

Also, that the House has passed House Bill No. 222, for an act concerning drainage, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

The Chair announced that he had signed Enrolled House Bill No. 66.

Senator Willard moved to suspend the order of business.
Carried.

Senator Willard moved that the Senate refuse to recede from its amendments to House Bill No. 327, and that a committee of conference be appointed.

Carried.

The chair appointed said committee as follows:

Senators Willard and Youche.

Senator Campbell moved that Senate Bill No. 302 be taken up, the constitutional rules be suspended, the bill be read a second time by title, be considered engrossed, be read a third time by sections and be placed upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Duncan of Tipton, Duncan of Brown, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter, Youche and Zimmerman. Total, 39.

None voting in the negative.

So the rules were suspended.

The constitutional rules being suspended, Senate Bill No. 302, was read a second time by title, was considered engrossed, was read a third time by sections and was placed upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Day, Duncan of Hamilton, Duncan of Brown, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter, Youche and Zimmerman. Total, 37.

None voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Sellers moved that when the Senate adjourn this evening it be until 9:30 o'clock to-morrow morning.

Carried.

Senator Moon moved that Engrossed Senate Bill No. 31, with amendments, and Engrossed House Bill on the same subject, be recommitted to the Committee on Swamp Lands, with instructions to report to-morrow.

Carried.

Engrossed Senate Bill No. 31 was read a third time.

And the question being, Shall the bill pass?

On motion of Senator Smith of Jennings, the bill was indefinitely postponed.

Carried.

Senator Campbell of Hendricks introduced Senate Bill No. 340, entitled:

A bill for an act authorizing persons having claims against the State of Indiana to bring suit therefor in the Circuit Courts of the State.

Read first time and referred to the Committee on Judiciary.

Senator Sellers introduced Senate Bill No. 341, entitled:

An act supplemental to an act entitled "an act concerning drainage," approved April 8, 1881, prescribing the duties of Commissioners of Drainage in relation to the release of assessment liens, repealing all laws in conflict therewith, and declaring an emergency.

Read a first time and referred to the Committee on Swamp Lands.

Senator Weir introduced Senate Bill No. 342, entitled:

An act to authorize and empower persons holding real estate by entirety or as part claimants to mortgage the same.

Read first time and referred to Committee on Judiciary.

Senator Bailey moved that Senate Bill No. 213 be read a second time and be ordered engrossed.

Carried.

Senator Smith of Jay, moved that the constitutional rules be suspended. That Senate Bill No. 192 be read a second time by title, considered engrossed, be read a third time by sections and be placed upon its passage.

The roll being called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Lindley, Magee, Marshall, May, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter, Youche and Zimmerman. Total, 36.

Those voting in the negative were :

Senators Faulkner and Null. Total, 2.

So the rules were suspended.

Senate Bill No. 192 was read a second time, together with report of the committee.

The roll being called on report of the committee, the report of the committee was concurred in by the following vote :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Brown, Campbell of Hendricks, Davis, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Lindley, Magee, Marshall, May, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche. Total, 31.

Those voting in the negative were :

Senators Benz, Faulkner, Sellers, Zimmerman. Total, 4.

So the report of the committee was concurred in.

Senate Bill No. 192 was read a second time by title, was considered engrossed, was read a third time by sections, and was placed upon its passage.

The question being, Shall the bill pass?

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche. Total, 35.

Those voting in the negative were:

Senators Faulkner, Hill, Sellers, Zimmerman. Total, 4.

So the bill passed.

Title, as read, was adopted.

On motion of Senator Foulke the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

FEBRUARY 26, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. B. F. Foster, of Indianapolis.

The Journal was read in part, and, on motion of Senator Winter, the further reading was dispensed with.

Senator Smith, of Jennings, presented the following, resolution No. 1:

MR. PRESIDENT:

Be it resolved, That House Bill No. 32 be reported back to the Senate from the Committee on County and Township Business, the same having been referred to this committee on February 14, 1885. The Clerk holds the receipt of the chairman, Senator McIntosh, as above dated, who reports that the bill is lost. This bill provides for the purchasing of all stationery for county officers by the County Commissioners.

Be it further resolved, That a committee of three Senators be appointed by the President to investigate this matter and report to-morrow morning at 10 o'clock.

Adopted.

The Chair appointed the following committee on resolution No. 1:

Senators Smith, of Jennings, Campbell, of St. Joseph, and Lindley.

Senator Campbell, of Hendricks, by unanimous consent, withdrew his substitute to Senate Bill No. 330.

Senator May presented a report on Senate Bill 330, with amendments, recommending the same do pass.

Senator Smith of Jay moved that Senate Bill No. 330 be taken up out of its order.

Senator Schloss moved that the constitutional rule be suspended, the bill read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Baily, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Lindley, Macy, Marshall, May, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm,

Richardson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, and Youche. Total, 40.

Those voting in the negative were :

Senators Brown, Day, Faulkner, Johnson, Null, Shively, and Zimmerman. Total, 7.

So the constitutional rules were suspended.

Senator Willard was called to the chair temporarily.

Senator Fowler withdrew the minority report on Senate Bill No. 330.

Senator Foulke moved to suspend the order of business and that the committee be allowed to make a report on Senate Bill No. 313.

Senator Youche moved to amend and permit all committees to file committee reports with the Secretary.

Carried.

Senate Bill No. 330 was read a second time by title, together with the following report of the special committee, and considered engrossed :

MR. PRESIDENT :

Your special committee of five, to whom was referred Senate Bill No. 330, a bill in relation to the State Normal School, etc., introduced by Senator Schloss, have had the same under advisement, and a majority of your committee report said bill back with the recommendation that said bill be amended as follows, and when so amended that the same do pass :

That in section 1 the words "semi-annually, commencing on the last day of April and October," in lines 9, 10 and 11, be stricken out, and in their place insert the words "on April 30th and one-half on October 31st;" also, insert the word "joint," in line 16, after the word "on," and insert the words "and President," in line 16, after the word "Treasurer," and strike out the words "approved by the President of said Board," in lines 17 and 18.

That there be inserted after section 1 of said bill a new section, which shall read as follows :

SECTION 2. That an act entitled "An act to amend section 4 of an act approved March 5, 1873, and of the Revised Statutes 4556, and to repeal all laws in conflict therewith," approved March 2, 1883; also section 4 of an act entitled "An act to amend an act entitled an act to create a State Normal School, and declaring an emergency, approved December 20, 1865, and adding supplemental sections thereto, and providing for certain appropriations," approved March 5, 1873; also, all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

That section 2 of said bill be numbered section 8.

F. JOHNSON, Chairman.
H. J. MAY,
J. S. DRAKE,
J. W. YOCHE.

Senate Bill No. 830 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 45.

No one voting in the negative.

So the bill passed.

The title was read, and on motion the bill was referred to the Committee on Phraseology.

Senator Johnston was given unanimous consent and made a report from the Committee on Knightstown Investigation, which reads as follows:

MR. PRESIDENT:

The undersigned, your special committee appointed under Joint Resolution No. 10, to investigate into the condition and affairs of the Soldiers' Orphans' Home and Asylum for Feeble-Minded Children, and also to investigate certain charges against certain of the officers thereof, beg leave to submit the following report, and recommend action:

About the beginning of our labors, specific charges were filed by Jno. M. Goar, Trustee of said institution, against John W. White, the Superintendent thereof, which charges are filed herewith and made a part hereof, and marked "Exhibit A," and the said White, on the same day, filed counter charges against the said Goar, which are also filed herewith and made a part hereof.

We have had all of said matters under consideration, and from the evidence heard, find that Jno. M. Goar, one of the Trustees of said institution has been guilty, during his term of office, of drunkenness; that his general moral character is bad; that he has been guilty of gross immoral conduct; that his general character for virtue and chastity is bad, and that he has been guilty during his said term of office of having illicit intercourse with a female inmate of said institution, of about the age of fifteen years; and that during his said term of office he has attempted to seduce two others of the female inmates of the institution, each of the age of fifteen years, and all of whom were and are children of deceased soldiers and under his care and entitled to his protection as a Trustee of said institution.

We have also had under consideration the charges against the Superintendent, John W. White, and from the evidence heard we find that so far as such charges relate to his purchasing goods for his own use and having the State pay for the same, or to his criminal neglect of sick children, causing the death of one of them, said charges are each and all wholly untrue and groundless; that the charges relating to the misconduct of members of his family are wholly untrue; that the character of said White for sobriety, morality and chastity, is above reproach, and that as such Superintendent he has provided and

caused to be provided, ample clothing, proper and nutritious food, and has kept and maintained good sanitary regulations in said institutions.

We further find that the said J. W. White has been grossly negligent in this. He has repeatedly allowed matters to go by unnoticed that should have demanded his immediate attention. He has allowed severe punishment to be inflicted upon children by attendants, governess, and teachers. He has allowed children in both departments, to be locked in close, dark closets, and fed only on bread and water from one day to a week at a time, and permitted two boys to be hand-cuffed together two days and one night in dark closets and compelled them thereby to sleep together while so hand-cuffed, which punishment, in the opinion of your committee, were excessive, cruel and inhuman. That he acted indiscreetly at various times by locking himself up in his private office with female teachers and others connected with the institution; but your committee is of the opinion, from all the evidence on this subject, that it was at no time for an improper or immoral purpose. He allowed one Charles Morgan, of said institution, an employe, to remain in said institution and in his employment for some time, after the said Morgan had inflicted upon one Ed. Boler, a feeble-minded boy and a soldier's orphan, the most cruel and inhuman punishment, and after he had knowledge of such punishment. And that he permitted an attendant to remain in the institution and as an employé of the same for some considerable time after said attendant had been guilty of acts of sodomy with boys (inmates of the institution) from ten to fourteen years of age—he, the said White, having such information as should have put him on immediate inquiry and investigation, which could hardly have failed to have disclosed to him the fact of this horrible practice. We further find that he has not given that close care and attention to the schools that in our opinion he should.

We therefore beg leave to report the following as our conclusion from the foregoing and other facts which has come before us:

First, That John M. Goar is not a fit person for the position of trustee of said institution, and we therefore recommend that he be removed from said office as such trustee by legislative enactment.

Second, That John W. White is not a fit and proper person to superintend said institution, and we therefore recommend that he be removed from his said trust as such Superintendent.

We would further recommend to the General Assembly, that a law be immediately passed delegating to the Governor of the State power to discharge either the Superintendent or Trustees of said institution, or either of said Trustees for cause, and appoint successor to fill vacancies caused thereby; and we recommend that one of said Trustees should be of opposite politics to the other two.

And we are further of the opinion that the Superintendent of said institution should have full power to remove any teacher, employe, attendant or other subordinate officer, either with or without the consent or approval of said Trustees.

We are further of the opinion that the Soldiers' Orphans' Home and Asylum for Feeble-Minded Children should be separated.

We further find that immediate steps should be taken to provide means for prompt extinguishment of fire.

We were in session 21 days and have examined 91 witnesses.

We ask that this report be approved and committee discharged.

Very Respectfully.

JAMES B. LOYD,
Chairman.

THOMAS M. SMITH,
THOMAS E. BOYD,
COLUMBUS JOHNSTON,
JOHN W. MACY.

Senator Magee moved that the report be concurred in and committee discharged.

Senator Youche moved to amend the motion of Senator Magee by adding:

That the thanks of the Senate be tendered to said committee for the thorough and impartial manner in which they have performed their duties.

Accepted and adopted.

Senator Weir moved that Senate Bill No. 45, was set for special order for this p. m. at 3:30.

Carried.

Engrossed Senate Bill No. 50 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 45.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Senate Bill No. 35 was read a third time and put upon its passage.

On motion of Senator Fowler the bill was laid on the table.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 16, for an act relating to the study of physiology and hygiene in the public schools.

Also,

House Bill No. 197, for an act to pay money to the estate of Daniel Hough, etc., and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Bailey called up Senate Bill No. 20.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ernest, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Maey, Magee, Marshall, Moon, McIntosh, Peterson, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Brown, Campbell of St. Joseph, Duncan of Tipton, Faulkner, Hill, May, McClure, Null, Overstreet, Sellers and Smith of Delaware. Total, 11.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 58 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Delaware, Weir, Winter and Zimmerman. Total, 38.

Senator Benz voting in the negative.

So the bill passed.

The title was read.

Senator Sellers offered the following amendment to the title:
MR. PRESIDENT:

I move to amend the title of Substituted Senate Bill, No. 58, by annexing thereto the words, and declaring an emergency.

Adopted.

The title as amended was adopted.

Senator Foulke, from the Committee on Public Health, made report on Senate Bill No. 313, recommending that the same do pass.

Senator Faulkner, from the Committee on Federal Relations, made report on Senate Bill No. 335, recommending that the same do pass.

Senator Smith, of Jay, from the Committee on Benevolent Institutions, made report on Senate Bill No. 284, recommending that the same do pass.

Senator Faulkner, from the Committee on Federal Relations, made report on Senate Bill No. 326, recommending that the same do pass.

Senator Campbell, of St. Joseph, from the Committee on Claims, made report on Senate Bill No. 290, with amendments, recommending that when so amended, the same do pass.

Senator Johnson, from special committee, made report on Senate Bill No. 330, with amendments, recommending that when so amended, the same do pass?

Engrossed Senate Bill No. 70, was read a third time and put upon its passage.

The question being, Shall the bill pass?

On motion, the bill was indefinitely postponed.

Engrossed Senate Bill No. 213 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Ernest, Foulke, Hilligass, Hoover, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Overstreet, Peterson, Schloss, Shively, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 34.

Those voting in the negative were :

Senators Faulkner, Fowler and Hill. Total, 3.

So the bill passed.

Title as read was adopted.

Engrossed Senate Bill No. 81 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Duncan of Hamilton, Duncan of Brown, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 40.

None voting in the negative.

So the bill passed.

Title, as read, was adopted.

Engrossed Senate Bill No. 82 was read a third time and put upon its passage.

On motion, the bill was recommitted to the Committee on Swamp Lands and Drainage.

Engrossed Senate Bill No. 77 was read a third time and put upon its passage.

The question being, Shall the bill pass?

Senator Weir demanded the previous question.

Seconded.

The question being, Shall the main question be now put?

Carried.

The roll was called and resulted as follows :

Those voting in the affirmative were:

Senators Day, Duncan of Tipton, Ernest, Foulke, Fowler, Hill, Macy, Magee, Marshall, Moon, McIntosh, Null, Overstreet, Richardson, Schloss, Sellers, Thompson, Willard, Youche, Zimmerman. Total, 20.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Brown, Faulkner, Hilligass, Hoover, Howard, Huston, Lindley, May, McClure, Peterson, Rahm, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Winter. Total, 24.

So the bill did not pass.

On motion of Senator Weir the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 26, 1885.

The Senate met pursuant to adjournment, Lieutenant-Governor Manson in the chair.

Engrossed Senate Bill No. 86 was read a second time.

Senator Adkinson moved that Senate Bill No. 86 be indefinitely postponed.

Senator Foulke moved to amend by laying the bill on the table.

Carried.

Senator McIntosh moved that his resolution calling for the framing of a bill on drainage by the Committee on Swamp Lands, be referred to that committee, without action.

Carried.

Senator Smith, of Jennings, arose to a question of personal privilege, and moved that the vote on Resolution No. 1 be reconsidered, and the same be laid on the table.

Carried.

The special order now being taken up, the same being Resolution No. 19.

Senate Resolution No. 19 was read a third time and put upon its passage.

The question being, Shall the resolution pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, Overstreet, Peterson, Shively, Smith of Delaware, Thompson and Winter. Total, 22.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Howard, Johnston, May, McClure, McCullough, Null, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Weir, Willard, Youche and Zimmerman. Total, 25.

So the resolution did not pass.

The President presented the following communication from the Governor:

INDIANAPOLIS, February 26, 1885.

Gentlemen of the Senate:

Your attention is called to the subject of "Public Printing," on page 66 of the Report of the Auditor of State for 1884, in relation to the increasing cost of the State printing. You will find upon examination of the report that this branch of the public service has cost during the past four years the sum of \$107,420.89, as follows:

1881	\$24,239 46
1882	11,981 47
1883	23,734 45
1884	21,563 87
Burford's deficiency appropriation	25,901 64
Total	<hr/> \$107,420 89

It will thus be seen that the deficiency in four years was \$25,901.64. I can see no reason for printing every year the

report of the State Geologist, and the reports of the State Institutions for the year in which the Legislature does not meet. They might very properly, and without any detriment, be very considerably curtailed, and I would suggest the advisability of a law giving the Board of Commissioners of Public Printing and Binding some discretion in determining what part of the annual reports should be printed. In the interest of economy I invite your careful consideration of this subject.

Respectfully submitted,

ISAAC P. GRAY,
Governor.

Read, and referred to the Committee on Public Printing.

Senator Hilligass moved that the constitutional rule be suspended, and that Senate Bill No. 200 be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Zimmerman. Total, 36.

Those voting in the negative were:

Senators Winter and Youche. Total, 2

So the rule was suspended.

Senate Bill No. 200 was read a second time together with the following report of the committee and considered engrossed.

MR. PRESIDENT:

Your committee to whom was referred Senate Bill No. 200, having carefully examined the same, beg leave to report the

same back to the Senate with the recommendation that the same do pass.

WM. J. HILLIGASS,
Chairman.

L. S. NULL,
JNO. M. SMITH,
MARVIN CAMPBELL,
W. C. THOMPSON,
WM. D. FOULKE.

Engrossed Senate Bill No. 200 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter and Youche. Total, 37.

Those voting in the negative were:

Senators Willard and Zimmerman. Total, 2.

So the bill passed.

The title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 189.

Also, House Bill No. 151, a bill for an act to incorporate building, loan fund and savings associations.

Also, House Concurrent Resolution No. 18, in reference to the securing of a uniform law in the States and territories of the United States on the subject of marriage and divorce, and they are herewith transmitted to the Senate for action.

H. C. DARNELL,
Clerk.

Senator Sellers, from the Committee on Phraseology, asked that Engrossed House Bill No. 39 be referred to the Committee on Education.

Granted.

House Bill No. 51 was referred to the Committee on Cities.

Granted.

Senator May asked leave of absence for Senator Johnson.

Granted.

Senator Willard arose to a question of privilege, and called up resolution changing Senate Rule No. 54 so that the majority instead of two-thirds vote shall be required to take up measures.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Howard, Magee, May, McClure, McCullough, McIntosh, Rahm, Richardson, Schloss, Smith of Jennings, Thompson, Weir, and Willard. Total, 21.

Those voting in the negative were :

Senators Adkinson, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Fowler, Hoover, Huston, Lindley, Macy, Marshall, Moon, Null, Overstreet, Peterson, Sellers, Shively, Smith of Jay, Smith of Delaware, Winter, Youche and Zimmerman. Total, 27.

So the motion was lost.

Senator Foulke moved to reconsider the vote and lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators, Adkinson, Benz, Campbell of Hendricks, Campbell St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke,

Fowler, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Shively, Smith of Delaware, Winter, and Youche. Total, 20.

Those voting in the negative were :

Senators Bailey, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, and Zimmerman. Total, 29.

So the motion did not carry.

Senator Willard moved that the motion to reconsider be made a special order for to-morrow at 2 P. M.

Carried.

The special order being Senate Bill No. 45, the same was taken up.

Senator Smith of Jay moved that when the Senate adjourns this evening, that it be to 9:30 o'clock to-morrow morning.

Carried.

On motion of Senator Magee the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

FEBRUARY 27, 1885.

Senate met in regular session at 9:30 A. M., Lieutenant-Governor Manson in the Chair.

Opened with prayer by the Hon. Mr. Frazee, of the House of Representatives.

The Journal was read in part, and on motion of Senator Schloss, the further reading was dispensed with.

Senator Adkinson obtained unanimous consent to take up Senate Bill No. 313.

Senate Bill No. 313 was read a second time, with the following report of the committee:

MR. PRESIDENT :

The undersigned, a majority of your Committee on Public Buildings, return Senate Bill No. 313, with the recommendation that it do pass.

**FOULKE,
RAHM,
J. W. YOCHE,
MAGEE,
OVERSTREET.**

Senator Adkinson moved that Senate Bill No. 313 be engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Campbell of St. Joseph, Davis, Drake, Ensley, Foulke, Hoover, Huston, Lindley, Macy, Magee, Marshall, May, Moon, Overstreet, Rahm, Smith of Delaware, Winter, Youche and Zimmerman. Total, 22.

Those voting in the negative were:

Senators Benz, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Johnston, McClure, McCullough, McIntosh, Null, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard. Total, 23.

So the motion was lost.

Senator Bryant moved to suspend the constitutional rule, take up Senate Bill 325 and read it a second time by title, consider it engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Benz, Bryant, Campbell of St. Joseph, Davis, Day, Duncan of Tipton, Duncan of Brown, Ensley, Fowler, Johnston, Macy, Marshall, Moon, McIntosh, Peterson, Rahm, Shively, Smith of Jennings, Smith of Delaware, Thompson, Willard. Total, 22.

Those voting in the negative were :

Senators Adkinson, Drake, Ernest, Faulkner, Foulke, Hill, Hoover, Huston, Lindley, Magee, May, McClure, Null, Overstreet, Richardson, Sellers, Weir, Winter, Youche, Zimmerman. Total, 20.

So the constitutional rules were not suspended.

Senator Weir, from the Committee on Claims, made a report on Senate Bill No. 336, recommending that the same do pass.

Senator Weir, from the Committee on Claims, made a report on Senate Bill No. 334, recommending that the same do lie on the table.

Senator Weir, from the Committee on Claims, made a report on the claim of David J. Rodgers, recommending that the same do lie on the table.

Senator Magee moved to suspend the regular order and take up Senate Bill No. 45.

Carried.

The question being on the substitution of the minority for the majority report.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Hill, Huston, Johnston, Lindley, Magee, Marshall, May, Moon, McCullough, Null, Peterson, Rahm, Richardson, Schloss, Shively, Weir, Youche and Zimmerman. Total, 29.

Those voting in the negative were :

Senators Bailey, Duncan of Tipton, Faulkner, Foulke, Fowler, Macy, McClure, McIntosh, Overstreet, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Willard and Winter. Total, 15.

So the minority report was adopted.

Senator McCullough moved that a committee of five be appointed to which Senate Bill No. 45 shall be submitted, and moved the previous question.

Carried.

The Chair appointed the following committee :

Senators McCullough, Smith of Jennings, Foulke, Winter and Weir.

Senator Willard moved that the regular order be suspended and the Conference Committee be allowed to make a report on Engrossed House Bill No. 327.

Carried.

The Conference Committee made the following report on Engrossed House Bill No. 327, and Senate engrossed amendments to said bill :

MR. PRESIDENT :

Your Committee of Conference, to which was referred Engrossed House Bill No. 327, would respectfully report that they have had under consideration said bill, and Senate Engrossed Amendments thereto, and have agreed as follows :

That the Senate recedes from amendment to the title of said bill, and the same shall remain as reported from the House.

That the Senate recedes from amendment No. 1.

That the House accedes to amendments Nos. 2 and 3.

That the House and Senate shall insert as amendment No. 4, the following : For furnishing and repairs of Supreme Court rooms and insurance of law library, the sum of twelve hundred and fifty dollars (\$1,250.00), or so much thereof as may be necessary.

That the House accedes to amendments Nos. 5, 6, 7 and 8.

That amendment No. 9 shall read as follows: In section 2, item 3, line 32, strike out "eight hundred dollars (\$800.00)," and insert one thousand dollars (\$1,000.00.)

That the House accedes to amendments Nos. 10 and 11.

That the Senate and House agree that amendment No. 12 shall read as follows: Section 2, item 9, line 92½, for the fiscal year, 1885, for messenger for the Supreme Court, to be appointed by the Supreme Court, six hundred dollars (\$600.00.)

That amendment No. 13 shall read as follows: Section 2, item 11, line 127, strike out the word "sixty" and insert instead thereof, the words fifty-five before the word thousand.

JAMES H. WILLARD,
J. W. YOCHE,
H. D. McMULLEN,
GEO. A. ADAMS.

Report concurred in.

Senator Thompson was called to the chair temporarily.

Senator Weir asked unanimous consent to introduce Senate Bill No. 344.

Granted.

Senator Weir introduced Senate Bill No. 344, entitled:

An act to repeal an act entitled "An act concerning the Supreme Court," approved March 3, 1883.

Read first time and referred to the special committee of five (same as 45).

Senate Bill No. 342 was referred to Committee on Swamp Lands and Drainage.

Senate Bill No. 327 was, on motion, referred to the Committee on Swamp Lands and Drainage.

Senator Winter made minority reports on Senate Bills Nos. 135, 167 and 198; recommending that Senate Bills Nos. 135 and 167 do lie on the table, and Senate Bill No. 198 do pass.

Engrossed Senate Bill No. 87 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Brown, Ernest, Ensley, Fowler, Hoover, Huston, Lindley, Magee, May, Moon, McCullough, Null, Overstreet, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter and Zimmerman. Total, 31.

Those voting in the negative were:

Senators Campbell of St. Joseph, Davis, Hill, Johnston, Macy, McClure, McIntosh, Peterson, Sellers and Youche. Total, 10.

So the bill passed.

Title as read was adopted.

Engrossed Senate Bill No. 88 was read a third time and put upon its passage.

The question being, Shall the bill pass:

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Hilligass, Hoover, Howard, Huston, Lindley, Macy, Magee, Marshall, May, Moon, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 38.

Those voting in the negative were:

Senators Benz, Ernest, Faulkner, Fowler, Johnston, McClure, McCullough, McIntosh, Shively, Smith of Jennings. Total, 10.

So the bill passed.

Title read and referred to Committee on Phraseology to report as soon as possible.

Senator Youche moved that Senate Bills Nos. 84 and 94, with committee report, be made a special order for next Monday at 2 o'clock P. M.

The ayes and noes being demanded and called resulted as follows:

These voting in the affirmative were:

Senators Adkinson, Brown, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Fowler, Howard, Huston, Lindley, Macy, Magee, Marshall, May, Moon, McCullough, McIntosh, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jay, Smith of Delaware, Thompson, Winter, Youche. Total, 29.

Those voting in the negative were:

Senators Bailey, Benz, Day, Duncan of Brown, Ernest, Faulkner, Hill, Hoover, McClure, Null, Richardson, Schloss, Smith of Jennings, Weir, Zimmerman. Total, 15.

So the motion was lost for the want of a constitutional majority.

Engrossed Senate Bill No. 114 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hoover, Howard, Huston, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 34.

None voting in the negative.

So the bill passed.

Title as read adopted.

Senator May made a report from the committee to investigate irregularities in Senate officers, which was made a special order for to-morrow at 10 o'clock A. M.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 423, a bill for an act to fix the number of Senators and Representatives to the General Assembly of the State of Indiana, and apportion the same among the several counties of the State, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Marshall moved that the constitutional rule be suspended, and that Senate Bill No. 328 be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 44.

None voting in the negative.

So the rule was suspended.

Senate Bill No. 328 was read a second time, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hilligass, Huston, Johnson, Johnston, Lindley,

Macy, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 34.

None voting in the negative.

So the bill passed.

Title as read was adopted.

Senator Brown from the committee on the Supervision of the Journal, made the following report:

MR. PRESIDENT :

Your Committee on the Inspection and Supervision of the Journals of the Senate, beg leave to report that they have examined said Journal from Monday, February 23d, to Friday morning, February 26, 1885, and find the same correct.

BROWN,
Chairman.

Engrossed Senate Bill No. 162 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Day, Duncan, Ernest, Faulkner, Hilligass, Hoover, Howard, Johnson, Johnston, Magee, McClure, McCullough, Null, Peterson, Rahm, Richardson Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir and Zimmerman. Total, 26.

Those voting in the negative were :

Senators Adkinson, Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Fowler, Hill, Huston, Lindley, Macy, Marshall, Moon, McIntosh, Overstreet, Smith of Delaware, Willard, Winter and Youche. Total, 21.

So the bill passed.

The title as read was adopted.

On motion of Senator Sellers, the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 27, 1885.

The Senate met pursuant to adjournment, Lieutenant-Governor Manson in the chair.

Engrossed Senate Bill No. 177 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Magee, Marshall, Moon, McClure, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir and Willard. Total, 35.

Those voting in the negative were:

Senators Brown, Ernest, Faulkner, Hill, Macy, May, McIntosh, Youche and Zimmerman. Total, 9.

So the bill passed.

The title as read was adopted.

Senator Magee offered the following resolution:

Resolved, That hereafter all explanations made by members upon the call of the roll on any proposition shall be limited to two minutes. MAGEE.

The resolution was amended to read one minute and adopted.

Senator Smith of Jennings made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 189 with Enrolled Senate Act No. 189, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Engrossed Senate Bill No. 178 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Brown, Ensley, Foulke, Hilligass, Huston, Johnston, Lindley, Marshall, Moon, Peterson, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter. Total, 22.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Duncan of Tipton, Ernest, Faulkner, Fowler, Hill, Hoover, Johnson, Macy, Magee, May, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Youche, Zimmerman. Total, 26.

So the bill failed to pass.

Engrossed Senate Bill No. 254 was read third time, and put upon its passage.

The question being, Shall the bill pass?

Senator Campbell, of St. Joseph, moved that Senate Bill No. 254 be recommitted to a committee of three.

Senator Fowler moved to amend by moving to indefinitely postpone.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Campbell of Hendricks, Davis, Day, Drake, Duncan, Ensley, Ernest, Fowler, Hill, Johnston, May, Moon, McClure, McCullough, McIntosh, Overstreet, Rahm, Sellers, Shively, Willard, Winter, Youche, Zimmerman. Total, 24.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of St. Joseph, Duncan of Tipton, Foulke, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, Null, Peterson, Schloss, Smith of Jennings, Smith of Delaware, Thompson, Weir. Total, 20.

So the motion was carried.

Senator Sellers moved to reconsider the vote by which Senate bill No. 254 was indefinitely postponed, and lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Campbell of Hendricks, Davis, Day, Drake, Ernest, Fowler, Johnston, May, McClure, McCullough, McIntosh, Overstreet, Rahm, Sellers, Shively, Smith of Jennings, Zimmerman. Total, 18.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of St. Joseph, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, Moon, Null, Peterson, Schloss, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche. Total, 26.

So the motion was lost.

Senator Magee moved that reconsideration of Senate Bill No. 254 be postponed until next Monday at 3 P. M.

Senator Youche moved to lay Senator Magee's motion on the table.

Carried.

Senator Willard moved that the reconsideration be postponed until next Monday at 2 P. M.

Carried.

Engrossed House Bill No. 16 was read a first time and referred to the Committee on Woman's Claims.

Engrossed House Bill No. 90 was read a first time and referred to a special committee of three.

Committee appointed:

Senators Rahm, Overstreet and Davis.

Engrossed House Bill No. 119 was read a first time and referred to the Committee on Roads.

Engrossed House Bill No. 137 was read a first time and referred to the Committee on Rights and Privileges.

Engrossed House Bill No. 151 was read a first time and referred to the Committee on Cities.

Engrossed House Bill No. 153 was read a first time and referred to the Committee on Insurance.

Engrossed House Bill No. 154 was read a first time and referred to the Committee on Insurance.

Senator Magee moved that the constitutional rule be suspended, and Engrossed House Bill No. 154 be read a second time by sections, considered engrossed, and read a third time by sections, and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Hoover, Johnson, Johnston, Magee, May, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 37.

Those voting in the negative were:

Senators Brown, Faulkner, Huston, Macy, Marshall. Total, 5.

So the rules were suspended.

Engrossed House Bill No. 154 was read a second time by sections.

Senator Winter offered the following amendment to House Bill No. 154:

Amend section 1 by inserting in line 3, printed bill, after the word "State" the words "or foreign country."

Amend section 4 by inserting in line 7, of the printed bill, after the word "State" the words "or country," or in line 11 after the word "State" the words "or country," and in line 15 after the word "State" the words "or country."

Adopted.

Senator Foulke offered the following amendment to House Bill No. 154:

MR. PRESIDENT:

I move to amend by inserting in line 13 of section 2, between the words "company" and "may" the following words: "which said action or proceeding may be instituted in the county in which the plaintiff resides or has its principal office, if a corporation."

Adopted.

Engrossed House Bill No. 154 was read a third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hoover, Howard, Macy, Magee, Marshall, May, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter. Total, 31.

Those voting in the negative were:

Senators Benz, Brown, Campbell of St. Joseph, Faulkner, Hilligass, Johnson, Johnston, Moon, McClure, McIntosh, Smith of Delaware, Willard, Youche, Zimmerman. Total, 14.

So the bill passed.

The title, as read, was adopted.

Senator Weir moved that when the Senate adjourn it be until to-morrow at 9:30 A. M.

Carried.

Engrossed House Bill No. 158 was read a first time.

Senator Marshall moved that the constitutional rule be suspended, and Engrossed House Bill No. 158 be read a second and third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hen-

dricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 44.

None voting in the negative.

So the rules were suspended.

Engrossed House Bill No. 158 was read a second and third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Johnson, Johnston, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 46.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Bryant called up House Concurrent Resolution No. 18, in reference to securing a uniform system of laws in all the States and Territories on the subject of marriages and divorces, was read.

Not concurred in.

Engrossed House Bill No. 167, was read a first time.

Senator Hilligass moved the constitutional rule be suspended, that House Bill No. 167 be read a second and third time and put its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Macy, Magee, Marshall, Moon, McClure, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter and Zimmerman. Total, 40.

Those voting in the negative were :

Senators Faulkner and Johnston. Total, 2.

So the constitutional rule was suspended.

Engrossed House Bill No. 167 was read a second and third times and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Macy, Magee, Marshall, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 39.

Senator Faulkner voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Smith of Jennings moved to reconsider the vote on Senate Bill No. 178.

Senator Fowler moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Duncan of Tipton, Ernest, Faulkner, Fowler, Hoover, Macy, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Sellers, and Zimmerman. Total, 17.

Those voting in the negative were:

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Magee, Marshall, Moon, McClure, Peterson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, and Youche. Total, 31.

So the motion was lost.

Senator Brown moved to adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Duncan of Tipton, Ernest, Faulkner, Hoover, McCullough, Overstreet, Rahm, Richardson, Schloss, Sellers and Zimmerman. Total, 14.

Those voting in the negative were:

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Magee, Marshall, Moon, McClure, Peterson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter and Youche. Total, 31.

So the motion to adjourn was lost.

Senator Willard demanded the previous question.

Seconded.

The question being, Shall the main question be now put?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley,

Foulke, Hill, Hilligass, Huston, Lindley, Magee, Marshall, Moon, McClure, McCullough, Peterson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter and Youche. Total, 30.

Those voting in the negative were :

Senators Benz, Brown, Bryant, Duncan of Tipton, Ernest, Faulkner, Fowler, Hoover, Macy, McIntosh, Null, Overstreet, Rahm, Richardson, Sellers and Zimmerman. Total, 16.

So the demand for the previous question was seconded.

The question being, Shall the vote on Senate Bill No. 178 be reconsidered ?

The ayes and noes being demanded and called resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Magee, Marshall, Moon, Peterson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter and Youche. Total, 29.

Those voting in the negative were :

Senators Benz, Brown, Bryant, Duncan of Tipton, Ernest, Faulkner, Fowler, Hoover, Macy, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Sellers and Zimmerman. Total, 18.

So the motion to reconsider prevailed.

Senator Brown moved that the Senate do now adjourn.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Bryant, Duncan of Hamilton, Ernest, Faulkner, Fowler, Hoover, Macy, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Sellers and Zimmerman. Total, 18.

Those voting in the negative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Magee, Marshall, Moon, Peterson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter and Youche. Total, 29.

So the motion was lost.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Howard, Huston, Johnston, Lindley, Magee, Marshall, Moon, Peterson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter. Total, 28.

Those voting in the negative were :

Senators Benz, Brown, Bryant, Duncan of Hamilton, Ernest, Fowler, Hoover, Macy, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Youche, Zimmerman. Total, 17.

So the bill passed.

Title as read adopted.

On motion of Senator Weir, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING.

FEBRUARY 28, 1885.

Senate met in regular session at 9:30 A. M., Lieutenant-Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Staley, of the House of Representatives.

The Journal was read in part, and, on motion of Senator McIntosh, the further reading was dispensed with.

Senator McIntosh, from the Committee on County and Township Business, offered the following report:

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 32, report that we have had the same under consideration, and recommend that said bill lie on the table.

We further report that the Senate calendar shows that said bill was read the first time and referred to this committee, but the committee had no knowledge of the bill until February 25, 1885, at which time a Representative of the House called on the chairman of this committee to see about the bill. Said bill could not be found after a careful examination and search for same, but at the solicitation of the chairman of this committee, he was furnished a true copy of the original bill as it passed the House. The committee therefore recommend that this bill take the place of the one lost.

J. P. McINTOSH, Chairman.

JOHN S. DAY,

J. W. MACY,

GEORGE MOON,

SILAS PETERSON,

D. C. BRYANT,

JAMES HILL.

Concurred in.

The President presented the following communication:

GENERAL ASSEMBLY OF THE STATE OF INDIANA, }
SENATE CHAMBER, INDIANAPOLIS, February 28, 1885. }

Hon. Mahlon D. Manson, President of the Senate:

SIR—I hereby tender to you my resignation as Assistant Secretary of the Senate. I desire to state that after the report made from the investigating committee, I deem it just to the Democratic members of this Senate, that I should not embarrass their action by any personal feeling of my own. I feel confident that my actions in all the matters referred to in the report have been only following the custom of former General Assem-

blies. The only errors made in my books occurred while I was confined to my bed by sickness. But, while I do not feel at all in fault in this matter, I prefer to relieve Democratic Senators from any responsibility for any action of mine.

Very respectfully,

H. C. HUFFSTETTER.

Senator Smith of Jennings asked leave of absence for Senator May until next Tuesday morning.

Granted.

The Chair announced that, at the request of the Democratic caucus, he would name as successor to Secretary Huffstetter, John D. Carter.

Senator Hilligass moved that John D. Carter be elected Assistant Secretary of the Senate for the remainder of the session.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulker, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Youche and Zimmerman. Total, 42.

No one voting in the negative.

So the motion prevailed, and John D. Carter was declared elected Assistant Secretary of the Senate.

John D. Carter was sworn in by Judge Pierce Norton, of the Criminal Court.

The special joint committee made a report on the Governor's communication in regard to Normal School real estate.

Concurred in.

Senator Bailey asked leave of absence for Senator Davis.

Senator Foulke made a minority report from Committee on Woman's Claims on Engrossed House Bill No. 16, with amendments, recommending that the same do pass.

Engrossed House Bill No. 197, was read first time and referred to Committee on Claims.

Engrossed House Bill No. 422, was read the first time.

Senator Willard moved that Engrossed House Bill No. 422 pass to its second reading without committing, and come up again on Monday next.

Senator Foulke moved to postpone consideration until next Friday.

The ayes and noes being demanded and called, resulted as follows:

Those voting in affirmative were:

Senators Adkinson, Benz, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Ensley, Foulke, Fowler, Hoover, Huston, Lindley, Macy, Marshall, Moon, Overstreet and Youche. Total, 17.

Those voting in the negative were:

Senators Bailey, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Johnston, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard and Zimmerman. Total, 26.

So the motion was lost.

Senator Willard demanded the previous question, which was seconded.

The question being, Shall the main question be put?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Johnston, Magee, McClure,

McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Thompson, Weir, Willard and Zimmerman. Total, 25.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Drake, Ensley, Foulke, Fowler, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware, Youche. Total, 15.

So the motion prevailed.

The question being on Senator Willard's motion.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Johnston, Magee, McClure, McCullough, McIntosh, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 26.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Overstreet and Youche. Total, 13.

So the motion was adopted.

The special order for 10 o'clock this morning was, on motion, postponed until next Monday at 2:30 o'clock.

- Senator Campbell, of St. Joseph, presented the following resolution :

Resolved, That the Attorney General of the State be requested to take such action as may be necessary to have all moneys covered back into the treasury that have been illegally paid to officers or employes of the Senate during the present session of the Senate.

MARVIN CAMPBELL.

Adopted.

The special order for 10 o'clock this morning being the consideration of the report of the investigating committee, the report was read and concurred in.

Senator McCullough, from special committee, made a report on Appellate Court bill.

Concurred in.

Senator McCullough moved that Senate Bill No. 45 be engrossed.

Senator Youche moved that Senate Bill No. 45 be printed and made a special order for 2:30 o'clock, Monday.

Carried.

Engrossed House Bill No. 423 was read a first time.

Senator Hilligass moved that Engrossed House Bill No. 423 pass to second reading without committing.

Senator Foulke moved to amend by rejecting the bill.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Eusley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware, Winter and Youche. Total, 16.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Johnston, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 27.

So the motion was lost.

Senator Winter moved to amend by referring the bill to the Committee on Legislative Apportionment.

Senator Willard moved the previous question.

Which was seconded.

The question being, Shall the main question be put?

The ayes and noes being demanded and called, resulted as follows:

31—SENATE.

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Johnston, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, and Zimmerman. Total, 27.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Marshall, Overstreet, Smith of Delaware, Winter, and Youche. Total, 15.

So the motion was carried.

The question being on Senator Winter's amendment.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Ensley, Foulke, Fowler, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware, Winter, and Youche. Total, 18.

Those voting in the negative were:

Senators Bailey, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Johnston, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, and Zimmerman. Total, 27.

So the amendment was not adopted.

The question being on Senator Hilligass' motion, the same was carried.

The President presented the following communication from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 21, 1885. }

To the Honorable, the President of the Senate:

By the direction of the Governor I have the honor to inform the Senate that he has approved and signed Senate Enrolled

Acts Nos. 115, 154 and 182, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

The President presented the following communication from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 21, 1885. }

To the Honorable, the President of the Senate:

By the direction of the Governor I have the honor to inform the Senate that he has received, approved and signed Senate Enrolled Act No. 196, entitled "An act authorizing the Governor, Auditor and Treasurer of State to make an additional temporary loan, and making provision for the funding of the present outstanding temporary loan, at a lower rate of interest, and declaring an emergency," and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

Engrossed House Bill No. 48 was read a second time, together with the following report of the Committee on Finance:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Engrossed House Bill No. 48, report the same back with the recommendation that the same do pass.

WILLARD,
Chairman.

Report concurred in.

Engrossed House Bill No. 56 was read a second time, together with the following report of the Committee on Cities:

MR. PRESIDENT:

Your Committee on Cities, to which was referred House Bill No. 56, have had the same under consideration, and a majority of your committee recommend that said bill do pass.

THOMPSON,
Chairman.

Senator Willard moved that when the Senate adjourn it be until 2:30 o'clock.

Carried.

Senator Foulke asked leave of absence for Senator Smith, of Jay.

Granted.

On motion of Senator Foulke the Senate adjourned.

AFTERNOON SESSION.

FEBRUARY 28, 1885.

Senate met at 2:30 o'clock, pursuant to adjournment, with Senator Magee in the chair.

Senator Weir, from the Committee on Claims, presented a report on Engrossed House Bill No. 197, recommending that the same do pass.

The question being the consideration of Engrossed House Bill No. 56.

Senator Youche moved that Engrossed House Bill No. 56 be indefinitely postponed.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Foulke, Fowler, Hill, Huston, Lindley, Macy, Magee, McIntosh, Overstreet, Richardson, Smith of Delaware, Winter, Youche and Zimmerman. Total, 18.

Those voting in the negative were:

Senators Adkinson, Bailey, Benz, Bryant, Duncan of Tipton, Duncan of Brown, Faulkner, Hoover, Johnston, Moon, McClure, McCullough, Null, Peterson, Sellers, Shively, Smith of Jennings. Total, 18.

So the motion was lost.

Senator Bailey moved that the report of the committee on House Bill No. 56 be adopted..

Those voting in the affirmative were:

Senators Benz, Bryant, Duncan of Brown, Hoover, Howard, Johnson, McClure, Peterson, Sellers, Shively and Weir. Total, 11.

Those voting in the negative were:

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Faulkner, Foulke, Fowler, Hill, Huston, Lindley, Macy, Magee, Moon, McCullough, McIntosh, Null, Overstreet, Richardson, Smith of Jennings, Smith of Delaware, Winter, Youche and Zimmerman. Total, 25.

So the report was not concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 201, the same being an act appropriating thirty thousand dollars to the State University, and the same is now transmitted to the Senate for action thereon.

H. C. DARNELL,
Clerk.

Senator Youche moved to lay Engrossed House Bill No. 56 on the table.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Ernest, Faulkner, Foulke, Fowler, Hill, Huston, Lindley, Macy, Magee, McCullough, McIntosh, Overstreet, Richardson, Sellers, Smith of Delaware, Winter, Youche, and Zimmerman. Total, 24.

Those voting in the negative were:

Senators Benz, Duncan of Brown, Hoover, Howard, Johnston, Moon, McClure, Peterson, Shively, and Weir. Total, 10.

So the motion was adopted.

Senator Smith of Jennings asked that he be excused until Monday morning.

Granted.

Senator Duncan of Brown moved to take up Engrossed House Bill No. 201 and have the same read a first time and referred to the Committee on Finance, with instructions to report Monday morning.

Carried.

Senator Sellers moved that when the Senate adjourn, it be until Monday at 9:30 A. M.

Carried.

Senator Fowler moved that the Senate do now adjourn.

Carried.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

MARCH 2, 1885.

Senate met in regular session at 9:30 o'clock. In the absence of Lieutenant Governor Manson, on motion of Senator Campbell of St. Joseph, Senator Weir was chosen temporary chairman.

The session was opened with prayer by Rev. J. P. Cowan of the United Presbyterian Church.

The journal was read in part, and, on motion of Senator Duncan of Brown, was corrected, and on motion of Senator Sellers the further reading of the journal was dispensed with.

Senator Hoover made a report from the Committee on Prisons, and asked that one hundred copies be printed and placed on the desks of the Senators.

Granted.

Senator Rahm, from the special committee to whom Engrossed House Bill No. 90 was referred, made a report on said bill, which was read and the report concurred in.

Senator Faulkner offered a petition, and asked that it be referred to the Committee on Vital Statistics without reading.

So referred.

Senator Faulkner made report from Committee on Federal Relations on Concurrent Resolution No. 21, asking that the resolution be adopted.

Report concurred in.

Senator Faulkner, from the Committee on Federal Relations, made return of Engrossed House Bill No. 93, Engrossed House Bill No. 137, and Senate Bill No. 242.

Which were referred back to the same committee for a report thereon.

Senator Duncan, of Brown, from the Committee on Education, made report on Senate Bill No. 285, and recommend that the same be amended, and that when so amended it do pass.

Ordered printed.

Senator Duncan, from the Committee on Education, made report on Senate Bill No. 278, recommending that the same do lay on the table.

Concurred in.

Senator Duncan, of Brown, from Committee on Education, made report on Senate Bill No. 331, and recommend that the same do lay on the table.

Concurred in.

Senator Duncan, of Brown, from Committee on Education, made report on Senate Bill No. 288, and recommend the same do lay on the table.

Concurred in.

Senator Drake moved that the Committee on Swamp Lands be instructed to report on Senate Bill No. 82.

Adopted.

Senator Duncan, of Brown, from Committee on Education, made report on Senate Bill No. 253, and recommend that the same do pass.

Senator Drake moved that the constitutional rule be suspended and Senate Bill No. 82 be read a second time by title, a third time by sections and placed upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Weir, Willard, Winter, Youche, and Zimmerman. Total, 37.

Senator Fautkner voted in the negative. Total, 1.

So the motion was adopted.

Engrossed Senate Bill No. 82 was read the second time.

Senator Winter moved to amend Senate Bill No. 82.

Amendment adopted.

Engrossed Senate Bill was read the third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, McClure, McIntosh, Null, Overstreet, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Weir, Willard, Winter, Youche, and Zimmerman. Total, 35.

No one voting in the negative.

So the bill passed.

Title as read adopted.

Senator Faulkner, from the Committee on Federal Relations, made a report on Engrossed House Bill No. 93, and recommended that it do lie on the table.

Senator Duncan, of Hamilton, from the Committee on Education, made a report on Engrossed House Bill No. 39, and recommended that the same do pass.

Senator Duncan, of Tipton, from the Committee on Education, made a report on Senate Bill No. 228, and recommended that the same be amended, and when so amended that the same do pass.

Senator Schloss presented a petition, which was referred to the Committee on Vital Statistics.

Senator Huston introduced Senate Bill No. 345, entitled :

A bill for an act to legalize a deed heretofore made by Aquilla Jones, Treasurer of the State of Indiana, to William M. Lock.

Read the first time.

Senator Huston moved that the constitutional rules be suspended ; that Senate Bill No. 345 be read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Lindley, Macy, Marshall, Moon, McClure, McIntosh, Null, Overstreet, Rahm, Schloss, Sellers, Shively, Weir, Willard, Winter, Youche and Zimmerman. Total, 35.

None voting in the negative.

So the rules were suspended.

Senate Bill No. 345 was read a second time by title, considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Weir, Willard, Winter, Youche, Zimmerman. Total, 39.

None voting in the negative.

So the bill passed.

Title as read adopted.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 170, for an act concerning proceedings in civil cases.

Also Senate Bill No. 65, for the completion of three Insane Asylums.

Also Senate Bill No. 139, to divide the State into circuits for Judicial purposes, and amendments thereto, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Also, that the House has concurred in Senate amendments to House Bill No. 154.

H. C. DARNELL,
Clerk.

Senator Hilligass moved to take up No. 139, and that the Senate concur in the amendments made by the House.

Concurred in.

Senator Campbell of Hendricks made report from the Committee on Judiciary on Senate Bill No. 841, and recommend that it do pass.

Ordered printed.

Senate Bill No. 139, together with the House amendments was read and the amendments concurred in.

Senator Campbell, of St. Joseph, moved that the constitutional rule be suspended and Senate Bill No. 108 be considered engrossed, read a third time by sections and placed upon its passage:

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McClure McCullough, Overstreet, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Weir, Willard, Winter and Zimmerman. Total, 35.

Those voting in the negative were:

Senators Ernest and McIntosh. Total, 2.

So the rules were suspended.

Senate Bill No. 108 was considered engrossed, read a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Weir, Willard, Youche and Zimmerman. Total, 39.

Senator Winter voting in the negative.

So the bill passed.

Title as read was adopted.

Senator Duncan, of Brown, by unanimous consent, requested that the Finance Committee return Engrossed House Bill No. 201.

The bill was returned.

Engrossed House Bill No. 201 was read and referred to the Committee on Finance, with instructions to report to-morrow morning.

Senator Foulke moved the suspension of the regular order, and that he be permitted to introduce a general appropriation bill.

Senator Hilligass moved the motion of Senator Foulke lay on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Johnston, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Weir, Willard and Zimmerman. Total, 25.

Those voting in the negative were:

Senators Adkinson, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Duncan of Hamilton, Ensley, Foulke, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Winter and Youche. Total, 16.

Motion carried.

Engrossed House Bill No. 16 was read a second time, with the minority report recommending that it be amended and pass.

The majority report recommend that it do pass.

Senator Hilligass moved the adoption of the majority report.

Senator Johnson moved to lay the motion of Senator Hilligass on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Johnson, McClure, McCullough, Rahm, Schloss, Sellers, Willard and Zimmerman. Total, 16.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Ensley, Foulke, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Weir, Winter and Youche. Total, 24.

So the motion to lay on the table was lost.

On motion of Senator Youche the Senate adjourned.

AFTERNOON SESSION.

MARCH 2, 1885.

Senate met in regular session, Lieutenant Governor Manson in the chair.

The President presented the following communication from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 2, 1885.

To the Honorable, the President of the Senate:

By the direction of the Governor I have the honor to inform the Senate that he has approved and signed Senate Enrolled Act No. 189, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

The consideration of House Bill No. 16 being the unfinished business.

Senator McIntosh moved to adopt the minority report of the committee on House Bill No. 16.

Senator Smith, of Jay, moved that the whole question be indefinitely postponed, and demanded the previous question, which was seconded.

The question being on the motion of Senator Smith, of Jay.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Duncan, Ernest, Faulkner, Fowler, Howard, Johnson, Johnston, Magee, McClure, McCullough, McIntosh, Null, Rahm, Schloss, Sellers, Smith of Jay, Willard and Zimmerman. Total, 21.

Those voting in the negative were :

Senators Adkinson, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Thompson, Winter and Youche. Total, 24.

So the motion was lost.

The question being on substituting the minority for the majority report.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Howard, Johnson, Johnston, McClure, McCullough, McIntosh, Null, Rahm, Schloss, Sellers, Smith of Jennings, Weir, Willard and Zimmerman. Total, 21.

Those voting in the negative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Richardson, Shively, Smith of Jay, Winter and Youche. Total, 23.

So the motion was lost.

The question being on the adoption of the majority report.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Richardson, Shively, Winter and Youche. Total, 21.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Howard, Johnson, Johnston, McClure, McCullough, McIntosh, Null, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 23.

So the motion was lost.

Senator Smith, of Jay, moved that Engrossed House Bill No. 16 be referred to the Committee on Education.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Howard, Johnson, Johnston, McClure, McCullough, McIntosh, Null, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Weir, Willard, and Zimmerman. Total, 25.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Hamilton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Richardson, Shively, Winter and Youche. Total, 18.

Carried.

Senator Smith, of Jennings, made the following report from the Committee on Enrolled Bills:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 65 with Enrolled Senate Act No. 65, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The Chair announced that he had signed Enrolled Senate Bill No. 65, and Enrolled House Bill No. 167.

Senator Youche moved that Senate Bills Nos. 84 and 94 be made a special order for Tuesday morning.

Lost.

The special order being Senate Bill No. 254, was taken up.

Senator Youche moved to lay the motion to reconsider the vote taken on Senate Bill No. 254, on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Campbell of Hendricks, Drake, Duncan of Brown, Faulkner, Fowler, Hill, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, McClure, McCullough, McIntosh, Overstreet, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Winter, Youche, and Zimmerman. Total, 28.

Those voting in the negative were:

Senators Benz, Campbell of St. Joseph, Duncan of Tipton, Ensley, Hilligass, Howard, Johnson, Moon, Null, Peterson, Shively, Smith of Jay, Weir, and Willard. Total, 14.

So the motion was carried.

The question being on the reconsideration of Senate Rule 54, being the special order for the hour.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnson, Johnston, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Zimmerman. Total, 28.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Campbell of Stark, Duncan of Tipton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Winter, Youche. Total, 14.

So the motion was carried.

Senator Willard moved the adoption of the change of the rule of the Senate No. 54.

Carried.

Senator Willard moved the special order be suspended, and that Engrossed House Bill No. 422 be taken up and read a second time.

The ayes and noes being demanded and called, resulted as follows.

Those voting in the affirmative were :

Senators Bailey, Brown, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Johnston, Magee, McClure, McCullough, McIntosh, Null, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Zimmerman. Total, 23.

Those voting in the negative were :

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Duncan of Tipton, Ensley, Foulke, Hoover, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Winter, Youche. Total, 19.

So the motion prevailed.

Engrossed House Bill No. 422 was taken up and read a second time.

Senator Sellers offered the following amendment :

MR. PRESIDENT :

I move to amend House Bill No. 422, as follows: Amend section 6 by striking out the word "Rush;" amend section 8 by striking out the word "Grant," and inserting in lieu thereof the word "Rush;" amend section 9 by inserting of the word "Marion," the word "Madison;" amend section 11 by

striking out the words, "and Madison," and inserting in lieu thereof, the words "Howard, Benton and Warren;" amend section 12 by striking out the words, "Warren and Benton;" amend section 13 by striking out the word "Howard" and inserting in lieu thereof the word "Grant."

Adopted.

On motion, the bill with amendments was ordered printed.

Senator Willard moved that the Senate amendments to Engrossed House Bill No. 422, be engrossed.

Carried.

Senator Magee moved to make Engrossed House Bill No. 422 a special order for 2 o'clock to-morrow, and that the debate be limited to 20 minutes to each speaker.

Carried.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 280, a bill for an act providing the means for securing the health and safety of persons employed in coal mines. Also, House Bill No. 352, a bill for an act to aid in constructing bridges across streams which form a boundary line between two counties, and the same are herewith transmitted to the Senate for its action.

H. C. DARNELL,
Clerk.

Engrossed Senate Bill No. 45, the special order for this hour, was read the third time.

Senator Winter offered the following amendment to Engrossed Senate Bill No. 45:

Insert in line 11 of the printed bill, after the word "costs," the following: "and from all interlocutory orders in any such cases from which appeals now lie to the Supreme Court."

Adopted.

The question being on the passage of Engrossed Senate Bill No. 45.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Campbell of Starke, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Hill, Huston, Johnson, Magee, Moon, McCullough, Null, Rahm, Richardson, Schloss, Shively, Weir, Youche. Total, 21.

Those voting in the negative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Duncan of Tipton, Fowler, Hilligass, Hoover, Lindley, Macy, Marshall, McClure, McIntosh, Overstreet, Peterson, Sellers, Smith of Jennings, Smith of Jay, Willard, Winter, Zimmerman. Total, 21.

Failed to pass for want of a constitutional majority.

Senator Hilligass moved to suspend the regular order and take up Engrossed House Bill No. 423 and read the second time.

Carried.

Engrossed House Bill No. 423 was read the second time.

Senator Sellers offered the following amendment to Engrossed House Bill No. 423:

By striking out of line 8, on page 4, the word "Pulaski," and by inserting in line 9 of said page, between the word "white" and the word "and," the word "Pulaski."

Adopted.

Senator Campbell, of St. Joseph, offered the following amendment:

In line 12 and 13 of page 8 of the engrossed bill, strike out the words, "Laporte, Starke and Pulaski, one Representative," and insert therefor the words, "St. Joseph, Starke and Pulaski, one Representative."

On motion of Senator Peterson, the Senate adjourned.

EVENING SESSION.

MARCH 2, 1885.

The Senate met at 7:30 o'clock, Lieutenant-Governor Manson in the chair.

Senator Benz moved a call of the House.

The same was proceeded with, and there being a quorum present, the further call was dispensed with.

The question being on the amendment of Senator Campbell of St. Joseph to House Bill No. 423.

Lost.

Senator Fowler offered the following amendment to House Bill No. 423:

Strike out the word "Greene," in line 10, section 2, and in lieu thereof insert the word "Clay."

Also strike out the word "Clay," in line 23, section 2, and in lieu thereof insert the word "Greene."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of Hendricks, Campbell of Starke, Davis, Duncan of Tipton, Foulke, Fowler, Hoover, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Winter, Youche. Total, 17.

Those voting in the negative were:

Senators Brown, Duncan of Brown, Ernest, Faulkner, Hill, Johnston, Magee, McClure, McCullough, McIntosh, Null, Rahm, Schloss, Sellers, Shively, Smith of Jay, Smith of Jennings, Weir, Willard, Zimmerman. Total, 21.

So the amendment was lost.

Senator Johnson offered the following amendment to Engrossed House Bill No. 423:

MR. PRESIDENT:

I move to amend section 3 by striking out "Tippecanoe 1, Clinton county 1, Tippecanoe and Clinton 1," and inserting "Tippecanoe 2, and Clinton 1."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Duncan of Tipton, Foulke, Fowler, Huston, Johnson, Lindley, Macy, Marshall Moon, Overstreet, Peterson, Winter, Youche. Total, 18.

Those voting in the negative were:

Senators Bailey, Brown, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Hoover, Johnston, Magee, McClure, McIntosh, Null, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Zimmerman. Total, 24.

So the amendment was lost.

Senator Drake offered the following amendment to Engrossed House Bill No. 423:

By striking out the word "Steuben," in line 53 of section 2, and inserting the word "Noble," and by striking out the word "Noble," in line 52, section 2, and inserting the word "Steuben" in its place.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of Hendricks, Campbell of Starke, Davis, Duncan of Tipton, Foulke, Lindley, Macy, Marshall, Moon, Overstreet, Winter and Youche. Total, 12.

Those voting in the negative were:

Senators Bailey, Brown, Bryant, Duncan of Tipton, Ernest, Faulkner, Hill, Hilligass, Hoover, Howard, Johnston, Magee,

McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 26.

So the amendment was lost.

Senator Lindley offered the following amendment to Engrossed House Bill No. 423: By striking out the words "Sullivan, Vigo and " in line 5, page 6, of section 3.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Campbell of Hendricks, Campbell of Starke, Davis, Duncan of Tipton, Foulke, Fowler, Hoover, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Winter, Youche. Total, 17.

Those voting in the negative were:

Senators Bailey, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, McClure, McCullough, Johnson, Magee, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total 25.

Amendment lost.

Senator Peterson offered the following amendment to Engrossed House Bill No. 423:

MR. PRESIDENT:

I move to amend section 2, of House Bill No. 423, on page 3 of said bill, by striking out the words "one Senator " from line 15, and inserting the words "two Senators," and by striking out of lines 5 and 6, of page 4, the words "Clinton and Boone, one Senator."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hilligass, Hoover, Johnson, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, and Weir. Total, 25.

Those voting in the negative were :

Senators Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Brown, Foulke, Hill, Huston, Johnston, Lindley, Marshall, Moon, Overstreet, Willard, Winter and Zimmerman. Total, 16.

Adopted.

Senator Fowler offered the following amendment to Engrossed House Bill No. 423: By striking out the word "Hendricks," and insert the words "Owen and Putnam, one Senator."

Not adopted.

Senator Moon offered the following amendment to Engrossed House Bill No. 423: Strike out "one Representative for Cass and Miami," and substitute "one for Kosciusko and Wabash."

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Tipton, Foulke, Fowler, Huston, Johnson, Lindley, Macy, Moon, Overstreet, Winter and Youche. Total, 15.

Those voting in the negative were :

Senators, Bailey, Brown, Bryant, Duncan of Tipton, Ernest, Faulkner, Hill, Hilligass, Hoover, Johnston, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 26.

So the amendment was lost.

Senator Hilligass demanded the previous question, which was seconded.

The question being, Shall the main question be now put?

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Brown, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Johnston, Magee, McClure, McCullough, McIntosh,

Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Zimmerman. Total, 22.

Those voting in the negative were:

Senators Bailey, Benz, Campbell of Hendricks, Campbell of Stark, Davis, Duncan of Tipton, Foulke, Fowler, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Willard, Youche. Total, 18.

Motion carried.

Senator Smith, of Jennings, was called to the chair temporarily.

Senator Willard moved that the Senate amendments to House Bill No. 423, be engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Hill, Hilligass, Hoover, Johnston, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 26.

Those voting in the negative were:

Senators Benz, Campbell of Hendricks, Campbell of Starke, Davis, Duncan of Tipton, Foulke, Fowler, Huston, Johnson, Lindley, Macy, Marshall, Overstreet, Winter and Youche. Total, 15.

So the amendments were ordered engrossed.

Senator Hilligass moved that bill be made a special order for 2 o'clock to-morrow, and the debate limited to 20 minutes to each Senator desiring to speak.

Adopted.

Senator Fowler moved that Engrossed House Bill No. 280, be read and referred to Committee on Mines and Mining.

Adopted and bill read.

On motion of Senator Brown, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

MARCH 3, 1885.

Senate met in regular session, Lieutenant-Governor Manson in the chair.

Opened with prayer by Rev. Mr. Abbott.

The Journal was read in part, and on motion, further reading was dispensed with.

Senator Lindley called up Engrossed House Bill No. 352, which was read a first time and referred to a special committee of three, with instructions to report to-night at 7:30 o'clock.

Committee appointed—Senators Lindley, Marshall, and Ernest.

Senator Benz, from special committee, made a report on Engrossed House Bill No. 280, recommending that it do pass.

Senator Fowler moved to suspend the constitutional rules, read Engrossed House Bill No. 280 a second time, together with report of committee, a third time by sections, and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Campbell of Hendricks, Campbell of Stark, Davis, Drake, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Johnson, Lindley, Macy, Magee, Marshall, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Schloss, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Willard, Winter, Zimmerman. Total, 35.

No one voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 280 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your committee to whom was referred House Bill No. 280, would report that they have had the same under consideration, and beg leave to report the same back with the recommendation that the same do pass.

JOHN BENZ,
Chairman.

Engrossed House Bill No. 280 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Delaware, Weir, Willard, Winter, Youche and Zimmerman. Total, 42.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Smith, of Jennings, made the following report from the Committee on Enrolled Bills:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 139 with Enrolled Senate Act No. 139, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 101, for an act to amend sections 1, 6 and 20 of an act concerning highways and supervisors thereof, approved March 2, 1883, and declaring an emergency.

Also, House Bill No. 397, for an act to amend sections 17, 19, and 31 of an act entitled an act to enable the owners of lands to drain and reclaim them, etc.

And the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

On motion of Senator Campbell of Hendricks Senate Bill No. 341 was taken up and read a second time, together with the following report:

MR. PRESIDENT:

Senator Winter, from the Committee on Judiciary, to whom was referred Senate Bill No. 341, introduced by Senator Campbell of Hendricks, have duly considered the same, and a majority of your Committee beg leave to report the same back, with the recommendation that the bill do pass.

F. WINTER.
A. G. SMITH, of Jennings.
J. H. FOWLER.
L. M. CAMPBELL.

Senator Willard offered the following amendment :

MR. PRESIDENT:

I move to amend Senate Bill No. 341 as follows: In section 1, line 3 of printed bill, strike out the words "on any account whatever," and add to said section 1 the following words, "*Provided however*, That nothing in this act contained shall authorize suit against the State of Indiana, on account of any bond of said State issued upon any account whatever."

Adopted.

Senator Weir offered the following amendment to Senate Bill No. 341:

Amend line three (3) by inserting in line three (3) between the words "account whatever," the words, "or to quiet the title to real estate sold by the State which shall have been paid for and no patent issued therefor."

Adopted.

Senator Foulke offered the following amendment to Senate Bill No. 341, so as to read as follows:

A bill for an act authorizing persons having claims against the State of Indiana to bring suit therefor in the Supreme Court of the State:

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That any person or persons, having or claiming to have a money demand against the State of Indiana, may bring suit therefor in the Supreme Court of this State by filing complaint and causing summons to be served on the Attorney General, and such actions shall be prosecuted, tried and determined by said Court without a jury, subject to the Statutes of Limitations in force in this State, and in all respects as other civil actions are prosecuted, tried and determined: *Provided however*, That nothing in this act shall authorize suits against the State on account of any bonds of said State issued upon any account whatever.

SEC. 2. The Attorney General shall represent the State in any suit so brought.

Adopted.

Senator Weir offered the following amendment:

That in all cases where the owner of real estate purchased from the State, and the same has been paid for, and no patent or deed has been issued and recorded therefor, such owner may bring his action in the proper Circuit Court where such real estate is situate, to quiet his title thereto, and may make the State a party the same as an individual, and the decree of such Court shall bind the State, and the Court may appoint a Commissioner to convey, as in other cases: *Provided*, That the State shall not be liable for any costs whatever: *Provided further*, That

it shall be the duty of the Prosecuting Attorney of the proper county to appear for the estate, and the Court shall allow him a reasonable fee therefor, to be paid as costs in the case: *Provided further*, That the summons in all such cases shall be personally service on the Auditor of State, the same as usual in other civil actions.

Adopted.

Senator Willard offered the following amendment to Senate Bill No. 341:

Strike out section 3 of said bill.

Rejected.

Senator Willard offered the following amendment:

Strike out of section 3 of said bill the words "of any Circuit Court or."

Adopted.

Senator Campbell, of Hendricks, moved that the constitutional rule be suspended, and Senate Bill No. 341 be considered engrossed, and read the third time and put upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Campbell of Hendricks, Campbell of Starke, Davis, Drake, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, McClure, McIntosh, Overstreet, Peterson, Richardson, Schloss, Smith of Jennings, Smith of Delaware, Weir and Youche. Total, 30

Those voting in the negative were:

Senators Brown, Bryant, Ernest, Faulkner, Howard, McCullough, Overstreet, Rahm, Sellers, Shively, Weir, Winter and Zimmerman. Total, 13.

So the rules were not suspended.

Senator Campbell, of Hendricks, moved that Senate Bill No. 341 be engrossed.

Carried.

The following message was received from the House.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 211, to regulate weights and measures.

Also, Senate Bill No. 47, for an act in regard to the payment of employes' wages.

Also, House Bill No. 219, to authorize the levy of writs in certain cases.

And the same are herewith transmitted to the Senate.

H. C. DARNELL,

Principal Clerk.

Senator Smith, of Delaware, moved that the constitutional rules be suspended and Senate Bill No. 327 read a second time, considered engrossed, read a third time, and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Campbell of Hendricks, Campbell of Starke, Davis, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Bailey, Bryant, Faulkner, Null and Hill. Total, 5.

So the constitutional rules were suspended.

Senate Bill No. 327, was read a second time together with the following report of the committee:

MR. PRESIDENT :

Your Committee on Finance to whom was referred Senate Bill No. 327, entitled an act providing that interest on county bonds may be paid in annual or semi-annual installments, having had the same under advisement, recommend that it do pass.

WILLARD,

Chairman.

Report concurred in.

Engrossed Senate Bill No. 327, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Howard, Huston, Johnson, Johnston, Lindley, Macy, Marshall, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Delaware, Willard, Winter, Youche and Zimmerman. Total, 40.

No one voting in the negative.

So the bill passed.

Title as read adopted.

Senator Johnson moved to suspend the regular order of business and take up Senate Joint Resolution No. 8.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Bryant, Campbell of Hendricks, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hilligass, Howard, Huston, Johnson, Lindley, Macy, Magee, Marshall, McCullough, McIntosh, Rahm, Richardson, Schloss, Sellers, Weir, Willard, Winter, Youche and Zimmerman. Total, 29.

Those voting in the negative were:

Senators Brown, Campbell of Hendricks, Davis, Day, Faulkner, Hill, Johnston, McClure, Null, Overstreet, Peterson and Shively. Total, 13.

So the order of business was suspended.

Senate Joint Resolution No. 8. was read a second time, together with the following report of the committee :

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to which was referred Joint Resolution No. 8, have had the same under consideration, and recommend that said resolution do pass.

LEON O. BAILEY,
Chairman.

Report concurred in.

Senator Johnson moved that Joint Resolution No. 8 be engrossed.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Bryant, Drake, Duncan of Hendricks, Duncan of Brown, Ernest, Foulke, Fowler, Huston, Johnson, Macy, Magee, Marshall, Overstreet, Rahm, Schloss, Shively, Willard, Winter, Youche. Total, 21.

Those voting in the negative were :

Senators Brown, Campbell of Starke, Davis, Day, Falkner, Hill, Hilligass, Johnston, McCullough, Null, McIntosh, Peterson, Richardson, Sellers, Smith of Delaware, Weir, Zimmerman. Total 17.

So the motion carried.

Senator Willard asked leave of absence for Senator Thompson for to-day on account of sickness.

Granted.

On motion of Senator Magee, the Senate adjourned until 2 P. M.

AFTERNOON SESSION.

MARCH 3, 1885.

Senate met at 2 o'clock, with Lieutenant-Governor Manson in the chair.

Senator Weir made majority report from the Committee on Finance on Engrossed House Bill No. 201, recommending that the same do pass.

Senator Willard made a minority report from the same committee, with amendments, and recommending that when so amended it do pass.

Senator Weir moved to adopt the majority report of committee.

Senator Hilligass moved that the minority report on Engrossed House Bill No. 201 be adopted.

On motion, Engrossed House Bill No. 201 was made a special order for 7:30 P. M.

The President presented a communication from the Governor, announcing that he had appointed Dr. Samuel R. Seawright, of Tippecanoe county, as a member of the State Board of Health, to succeed Wm. W. Vinnedge.

Which was referred to the Committee on Executive Appointments.

Senator Johnston, from the Committee on Roads, made a report on Engrossed House Bill No. 219, recommending that the same do pass.

Senator Fowler made a report from the Committee on Joint Resolution No. 10, with amendments, recommending that when so amended that it do pass.

Senator Weir moved that Senate Bill No. 253 be made a special order for this evening at 8 o'clock.

Carried.

Senator Youche moved that Senate Bills Nos. 84 and 94 be made a special order for 8 o'clock this evening.

Carried.

Senator Winter offered the following motion :

That the reference of Engrossed House Bill No. 6 to the Committee on Federal Relations, etc., be set aside, and that the bill be referred to a special committee of three, with instructions to report on the same Monday morning.

Carried.

The President appointed as said committee Senators Winter, Overstreet and McIntosh.

Senator Weir, from the Committee on Claims, presented Concurrent Resolution No. 24, which reads as follows:

Be it resolved by the Senate, the House concurring, That there be paid to the following persons the following amounts, according to the certified bills of the Doorkeeper hereto attached, being expenses of the Doorkeeper at the present session for the items named, to wit:

Tobias Roche, locks and keys.....	\$17 50
Annessansel & Strong, toilet paper	2 25
C. Schrader & Bro., cuspidors.....	2 26
W. G. Cook, ice.....	9 00
L. S. Ayres & Co., towels and soap.....	5 38
Jesse DeHaven, stools, etc.	4 15
Wm. Carter, washing, etc.....	17 60
Francke & Shindler, cotton mops.....	1 20
Joseph W. Cope, matches, etc	2 25
Jesse DeHaven, work	12 00

Adopted.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 47 with Enrolled Senate Act No. 47, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The hour having arrived for the special order, the same was taken up, being Engrossed House Bill No. 422.

Which was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hilligass, Hoover, Howard, Johnston, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Sellers, Schloss, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 29.

Those voting in the negative were:

Senators Campbell of Hendricks, Campbell of Starke, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Smith of Delaware, Winter and Youche. Total, 17.

So the bill passed.

Title as read was adopted.

The next special order being Engrossed House Bill No. 423, the same was taken up and read a third time, and put upon its passage.

Senator Fowler demanded the previous question.

Which was seconded.

The question being, Shall the bill pass?

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, McClure, McCullough, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Zimmerman. Total, 30.

Those voting in the negative were:

Senators Campbell of Hendricks, Campbell of Starke, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Johnson, Lindley,

Macy, Marshall, Moon, Overstreet, Smith of Delaware, Winter and Youche. Total, 17.

So the bill passed.

The title as read was adopted.

On motion of Senator Hilligass, the Senate adjourned.

EVENING SESSION.

MARCH 3, 1885.

Senate met at 7:30 o'clock, Senator Faulkner in the chair.

Senator Smith, of Jay, moved that Senate Bills Nos. 84 and 94, one of the special order for this evening, be discharged.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Bryant, Day, Ernest, Faulkner, Hilligass, Hoover, Howard, Johnston, Magee, Marshall, McClure, Peterson, Rahm, Schloss, Shively, Smith of Jennings, Smith of Jay, Weir and Zimmerman. Total, 21.

Those voting in the negative were:

Senators Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Huston, Johnson, Macy, Moon, McCullough, McIntosh, Null, Overstreet, Richardson, Sellers, Winter and Youche. Total, 20.

So the motion carried.

The special order for this evening at 7:30 o'clock being the consideration of Engrossed House Bill No. 201, the same was taken up.

Senator Hilligass withdrew his motion, which was to adopt the minority report.

Senator McIntosh moved that the minority report be adopted.

Lost.

Senator Youche moved that the majority report be concurred in.

Carried.

Senator Weir moved that the constitutional rule be suspended, Engrossed House Bill No. 301 be read the second and third time and put upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Stark, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Winter, Youche, Zimmerman. Total, 43.

Those voting in the negative were:

Senators McIntosh, Willard.

So the constitutional rule was suspended.

Engrossed House Bill No. 201, was read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Winter, Youche, Zimmerman. Total, 44.

Those voting in the negative were:

Senators McIntosh, Willard. Total, 2.

So the bill passed.

Title as read was adopted.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 180, by Senator Sellers, for the construction of fish ladders.

Also, House Bill No. 120, prohibiting the publication of obscene literature.

Also, House Bill No. 377, concerning proceedings in civil cases.

Also, has amended Senate Bill No. 16, to legalize certain sales of real estate made by Commissioners in certain cases.

And the same are transmitted to the Senate for its action.

H. C. DARNELL,
Principal Clerk.

The next special order for this hour being Senate Bill No. 253, the same was taken up.

Senate Bill No. 253 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Education, to whom was referred Senate Bill No. 253, introduced by Senator Foulke, report that we have had under consideration said bill, and recommend that said bill do pass.

W. C. DUNCAN,
Chairman.

GEO. MOON,
PHILIP SCHLOSS,
CHAS. C. DUNCAN.

Report concurred in.

Senator Youche offered the following amendment:

MR. PRESIDENT:

I move to amend section 1 to read as follows:

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That any university or college, incorporated by and under the laws of the State of Indiana, shall have the right to acquire and hold real estate by donation or devise, and the

same to dispose of for the use and purposes of such university or college, such real estate not to exceed in value the sum of five hundred thousand dollars, exclusive of the realty used and occupied for university or college grounds and buildings: *Provided*, That said real estate shall be disposed of within twenty years after it is acquired.

Adopted.

Senator Foulke moved that Senate Bill No. 253 be engrossed as amended.

Carried.

Senator Smith, of Jay, moved to amend and have the bill re-committed to the Committee on Judiciary.

Lost.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Joint Resolution No. 13.

Also, House Bill No. 399, relating to loan associations.

Also, House Bill No. 412, relating to Boards of Commissioners.

And the same are herewith transmitted to the Senate for action thereon.

H. C. DARNELL,
Clerk.

Senator Day asked that House Bill No. 430 be taken up.

Granted.

Engrossed House Bill No. 430 was read a second time, together with the report of the committee.

Report concurred in.

Senator Day moved the constitutional rule be suspended and bill read a third time and put upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Duncan of Tip-

ton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche and Zimmerman. Total, 44.

None voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 430 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Hoover, Howard, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche and Zimmerman. Total, 46.

None voting in the negative.

The bill passed.

The title as read was adopted.

Senator Lindley, from special committee, made the following report on House Bill No. 352:

MR. PRESIDENT:

Your special committee, to whom was referred Engrossed House Bill No. 352, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

J. H. LINDLEY,
JOSHUA ERNEST,
ANDREW MARSHALL.

Report concurred in.

Senator Lindley moved to suspend the constitutional rule and read the bill the second and third time and put it upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Youche, Zimmerman. Total, 41.

No one voting in the negative.

The constitutional rule was suspended.

Engrossed House Bill No. 352 was read the second time by title, the third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Weir, Willard, Winter, Zimmerman. Total, 39.

Those voting in the negative were :

Senator Davis. Total, 1.

The bill was passed.

The title as read adopted.

Senator Smith, of Jennings, moved that the House amendment to Senate Bill No. 16 be concurred in.

Carried.

Senator Willard moved that Engrossed House Bill No. 412 be read first time. .

Carried.

Engrossed House Bill No. 412 was read a first time and referred to the Committee on Judiciary.

Senate Bill No. 109 was read a second time, together with the following report of the committee.

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to which was referred Senate Bill No. 109, with the privilege of reporting at any time, have had the same under consideration, and request me to report the accompanying bill as a substitute for said bill 109, and that your committee recommends that said substitute do pass.

LEON O. BAILEY,
Chairman.

Report concurred in and bill ordered engrossed.

Senator Smith, of Jay, moved that Senate Bill No. 226 be taken up.

Carried.

Senate Bill No. 226 was read a second time, together with the report of the committee, recommending that the same do pass.

Report concurred in.

Senator Smith, of Jay, offered the following amendment:

MR. PRESIDENT:

I move to strike out all after the enacting clause and amend the following: That the taking, receiving, reserving, or charging a rate of interest greater than is allowed by law, when knowingly done by any person, corporation or association, shall be deemed a forfeiture of the entire interest which the note, bill or other evidence of debt carries with it or which has been agreed to be paid thereon in case the greater rate of interest has been paid, the person by whom it has been paid, or his legal representative, may recover back in an action in the

nature of an action of debt, twice the amount of the interest thus paid, together with reasonable attorneys fees, from the person, corporation or association taking or receiving the same, provided such action is commenced within two years from the time the usurious transactions occurred.

The question being, adopting the amendment.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Hoover, Howard, Johnston, Macy, Marshall, Moon, McCullough, Schloss, Shively, Smith of Jennings, Smith of Jay, Willard, Zimmerman. Total, 16.

Those voting in the negative were:

Senators Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Duncan of Brown, Ensley, Foulke, Fowler, Huston, Lindley, Magee, McClure, Null, Overstreet, Peterson, Rahm, Richardson, Weir and Winter. Total, 20.

The amendment was lost.

Senator Smith, of Jay, moved that Senate Bill No. 226 be engrossed.

Carried.

Senator Rahm moved to take up Engrossed House Bill No. 90.

Carried.

Engrossed House Bill No. 90, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Macy, Magee, Marshall, McCullough, McIntosh, Over-

street, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Weir, Willard, Winter, Youche and Zimmerman. Total, 35.

Those voting in the negative were:

Senators Benz and McClure. Total, 2.

The bill was passed.

The title as read adopted.

On motion of Senator Foulke, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

MARCH 4, 1885.

The Senate met in regular session, with Lieutenant-Governor Manson in the chair.

The session was opened with prayer by the Rev. Mr. McCloud.

The journal was read in part, and, on motion, further reading was dispensed with.

The President presented a communication from the Grand Army of the Republic organization.

Which was referred to the Committee on Military Affairs, without reading.

Senator Winter, from a special committee, made a report on Engrossed House Bill No. 6, recommending that the same do pass.

Report concurred in.

Senator Rahm moved that Senate Bill No. 136 be read a second time and ordered engrossed.

Carried.

Senate Bill No. 136, was read a second time, together with the report of the committee, with amendments, recommending that, when so amended, the same do pass.

Senator Fowler moved to lay the whole matter on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Shively, Smith of Delaware, Winter and Youche. Total, 26.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Howard, Johnson, Johnston, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 17.

The motion carried.

Senator Bryant moved to reconsider the vote by which En-grossed House Bill No. 422 was passed.

Senator Willard moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 27.

Those voting in the negative were:

Senators Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Smith, Winter and Youche. Total, 17.

The motion was carried.

Senator Weir moved to take up Senate Bill No. 336 on second reading.

Carried.

Senate Bill No. 336 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bill No. 336, introduced by Senator Bailey, have had the same under consideration, and recommend that the same do pass.

M. H. WEIR,
Chairman.

Report concurred in.

Senator Weir moved that Senate Bill No. 336 be engrossed.

Carried.

Senator Winter asked leave of absence for this morning.

Granted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 17, for the payment of a clerk for auditing swamp land records, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Overstreet moved to take up Senate Bill No. 127.

• Carried.

Senate Bill No. 127 was read a second time, together with the following report of Committee on Corporations:

MR. PRESIDENT:

Your Committee on Corporations to whom was referred Senate Bill No. 127, introduced by Senator Overstreet, for an act authorizing turnpike and gravel road companies organized under the law therein mentioned, to extend their charters for

the time and upon the terms and conditions therein stated and declaring an emergency, have had the same under consideration, and a majority of said committee favor the adoption of the accompanying substitute to said Bill No. 127, and direct me to report said substituted bill to the Senate with the recommendation that the same do pass.

L. S. NULL,
Chairman.

Report concurred in and bill ordered engrossed.

Senator Howard, from the Committee on Military Affairs, made a report on Senate Bill No. 323.

Senator Howard moved to suspend the constitutional rule and read Senate Bill No. 323 the second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard, Youche, Zimmerman. Total, 38.

None voting in the negative, so the constitutional rule was suspended.

Senate Bill No. 323 was read a second time, together with the following report of the committee.

MR. PRESIDENT:

The Committee on Military Affairs, to whom was referred Senate Bill No. 323, have had the same under consideration, and recommend that the following bill be substituted for said Senate Bill No. 323, taking the same number, and that the bill so substituted do pass.

HOWARD,
Chairman.

Report concurred in, and bill considered engrossed

Engrossed Senate Bill No. 323 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Schloss, Sellers, Shively, Smith of Jennings, Weir, Youche, Zimmerman. Total, 35.

No one voting in the negative.

The bill passed.

Title as read was adopted.

Senator Smith, from the Committee on Enrolled Bills, offered the following report: •

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 16 with Enrolled Senate Act No. 16 and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Johnson made a report on Senate Bill No. 91.

Concurred in.

Senate Bill No. 91 was read the second time, together with the report of the committee recommending its passage.

Senator Foulke moved that the constitutional rule be suspended and Senate Bill No. 91 be considered engrossed, read the third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston,

Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Youche and Zimmerman. Total, 36.

Senator Rahm voting in the negative.

The constitutional rules were suspended.

Engrossed Senate Bill No. 91, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Brown, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard and Zimmerman. Total, 35.

None voting in the negative.

The bill passed.

Title as read adopted.

Senator Shively from the Committee on Executive Appointments, presented the following report, which was concurred in:

MR. PRESIDENT:

Your Committee on Executive Appointments to whom was referred the Governor's communication of March 3, 1885, announcing the appointment of Dr. Samuel R. Seawright, of Tippecanoe county, a member of the State Board of Health, to succeed Wm. W. Vinnedge, have had the same under consideration, and the committee recommends that the Senate confirm said appointment.

JAS. S. SHIVELY,
Chairman.

Senator Zimmerman offered the following Concurrent Resolution No. 25:

WHEREAS, This day is the fourth day of March, 1885, the day of the inauguration of Grover Cleveland, of New York, as President, and Thomas A. Hendricks, of Indiana, as Vice-President of these United States; and,

WHEREAS, The people of the State of Indiana, did in the exercise of their inherent and sovereign rights, cast the electoral votes of this State to bring about this glorious result; be it

Resolved by the Senate, the House of Representatives concurring, That the people of the State of Indiana send hereby congratulations to the newly inaugurated President and Vice-President of these United States upon their triumphant election and peaceful inauguration to the highest positions within the gift of the American people. Be it further

Resolved by the General Assembly of Indiana, That it is the sincere wish of this body that the new administration of the Federal Government, during the four years to come, will be characterized as a period of national peace and prosperity in the history of our country.

Resolved, That a copy of the resolution be forwarded by telegram to the President and Vice-President immediately upon the adoption thereof.

Senator Foulke asked for a division of the question..

Consent.

Section No. 1 was read and adopted.

Section No. 2 was read and adopted.

Section No. 3 was read and adopted.

Senator Weir moved that Engrossed House Bill No. 222, and Senate Bills Nos. 31 and 341, be made a special order for this evening at 7:30 o'clock.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Day, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Howard, Johnson,

Johnston, Moon, McCullough, McIntosh, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Thompson, Weir and Zimmerman. Total, 25.

Those voting in the negative were :

Senator Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Huston, Lindley, Macy, Magee, McClure, Null, Overstreet, Smith of Delaware, Youche. Total, 13.

Motion was carried.

Senator Bryant moved that House Joint Resolution No. 13, be taken up.

Carried.

House Joint Resolution No. 13 was read a first time, and on motion laid on the table to be taken up and read again to-morrow.

Engrossed House Bill No. 211 was read first time and passed until to-morrow.

Engrossed House Bill No. 341 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The ayes and noes being called.

Senator Hilligass moved that the roll call be set aside to give an opportunity to examine the bill.

Carried.

On motion of Senator Weir, the Senate adjourned.

AFTERNOON SESSION.

MARCH 4, 1885.

Senate met at 2 o'clock, Lieutenant-Governor Manson in the chair.

The President announced that he had signed Engrossed Senate Bills Nos. 16 and 65.

The President presented the following communication from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 4, 1885. }

To the Honorable, the President of the Senate :

By the direction of the Governor I have the honor to inform the Senate that on yesterday he approved and signed Senate Enrolled Acts Nos. 47 and 139, and has caused the same this day to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 486, in relation to wire fences, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution No. —, relating to the election and inauguration of Grover Cleveland and Thos. A. Hendricks, and the same is herewith returned to the Senate.

H. C. DARNELL,
Principal Clerk.

The following message was received from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in Senate Concurrent Resolution No. 24.

Also, that the House has concurred in Senate amendments to House Bills Nos. 422 and 423.

H. C. DARNELL,
Principal Clerk.

Senator Ensley offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That we extend to Congress a vote of thanks for passing the bill placing that honored soldier, Gen. U. S. Grant, upon the retired list in this morning's session of Congress.

Adopted.

Senator Weir offered the following concurrent resolution :

Be it resolved by the Senate, the House concurring, That there be paid to Louis Reibold the sum of four hundred and seventy-five (\$475) dollars, rent of the Senate committee rooms for the use of the Senate Committees during the present session, according to contract made, the same being part of the expenses of the present General Assembly.

Adopted.

Engrossed House Bill No. 32 was read a second time, with the report of the committee.

Report concurred in.

Engrossed House Bill No. 39 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your Committee on Education has considered Engrossed House Bill No. 39, and recommend that the same do pass.

By order of the committee.

Report concurred in.

Engrossed House Bill No. 57 was read a second time, together with the following majority and minority reports from the Judiciary Committee :

MR. PRESIDENT :

Your Committee on the Judiciary has had under consideration Engrossed House Bill No. 57, a bill to amend section 372 of the civil code, being section 409 of the Revised Statutes, 1881, and a majority of your committee hereby report the same back to you, and recommend that it be laid on the table.

L. M. CAMPBELL,
J. E. McCULLOUGH,
F. WINTER,
W. D. FOULKE,
A. G. SMITH.

MR. PRESIDENT :

Your Committee on the Judiciary has had under consideration Engrossed House Bill No. 57—a bill to amend section 372 of the Civil Code, the same being section 409 of the Revised Statutes of 1881—and a majority of your committee having recommended said bill be laid on the table, now, therefore, the undersigned members of said committee respectfully recommend that said bill do pass.

I. H. FOWLER,
M. WEIR

On motion the majority report was concurred in.

A communication from the Emmet Guards was read.

Engrossed House Bill No. 62 was read a second time, together with the following report of the committee:

MR. PRESIDENT :

Your Committee on Finance, to whom was referred Engrossed House Bill No. 62, report the same back with the recommendation that the same do pass.

WILLARD,
Chairman.

Report concurred.

Engrossed House Bill No. 65 was read a second time with the following report of the committee:

MR. PRESIDENT :

Your Committee on Agriculture, to whom was referred Engrossed House Bill No. 65, introduced by Representative Pleasants, unanimously recommend the passage of said bill.

JAMES HILL,
Chairman.

Report concurred in.

Engrossed House Bill No. 79 was read a second time, together with the following report of the committee:

MR. PRESIDENT :

Your committee to whom House Bill No. 79 have been referred, beg leave to report the following amendment:

Amend section 1, in line 4, by inserting after the word that the following: After the first day of August, 1885.

Also amend section 2 thereof to read as follows:

SEC. 2. All writs, subpoenas, publications, rules, bonds, recognizances, orders or processes of whatever kind, returnable to any term of either of said Courts as heretofore fixed by law, shall be deemed and held to be returnable after the first day of August, 1885, to the first term of said Court, as provided by this act.

Also amend by adding thereto section 3, as follows:

SEC. 3. All laws and parts of laws inconsistent with this act are repealed, and when so amended your committee recommend the same do pass.

J. M. SMITH,
Chairman.

Report concurred in.

Senator Weir moved that the constitutional rule be suspended, Engrossed House Bill No. 79 be read a third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Eusley, Ernest, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Thompson, Weir, Youche and Zimmerman. Total, 34.

None voting in the negative.

The rules were suspended.

Engrossed House Bill No. 79 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Youche, Zimmerman. Total, 36.

None voting in the negative.

The bill passed.

Title as read adopted.

Senator Smith, of Jay, moved to refer Senate Bill No. 226 to the Committee on Phraseology.

Carried.

Engrossed Senate Bill No. 341 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McIntosh, Overstreet, Peterson, Rahm, Richardson, Sellers, Smith of Jennings, Thompson, Weir, Youche. Total, 30.

Those voting in the negative were:

Senators Benz, Brown, Day, Faulkner, McClure, McCullough, Null, Shively, Smith of Jay, Willard, Zimmerman. Total, 11.

The bill passed.

Title was read and referred to the Committee on Phraseology.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 180 with Enrolled Senate Act No. 180, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Brown, from the Committee on Inspection of the Journal, offered the following report :

MR. PRESIDENT :

Your Committee on the Inspection and Supervision of the Journals of the Senate, beg leave to report that we have examined said Journal for Saturday, February 28, Monday, March 2, and Tuesday, March 3, 1885, and find the same correct.

E. W. BROWN,
Chairman.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 400, in relation to colleges holding real estate; also, House Bill No. 29, to authorize County Commissioners to construct free turnpikes, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Engrossed House Bill No. 72 was taken up and read the second time.

Senator Smith, of Jennings, offered the following amendment to House Bill No. 72:

By adding the following to section 2: Nothing herein contained shall be construed to require the said Clerk to keep a public record of his own fees, or to exhibit such record to any person whatever.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Hilligass, Hoover, Johnston, Magee, McCullough, Null, Rahm, Schloss, Sellers, Smith of Jennings, Weir and Willard. Total, 15.

Those voting in the negative were:

Senators Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Huston, Johnson, Macy, Marshall, Moon, McClure, McIntosh, Overstreet, Peterson, Richardson, Thompson, Youche and Zimmerman. Total, 25.

The amendment was lost.

Senator Macy moved that the minority report of Committee on Engrossed House Bill No. 72, be substituted for the majority report.

Senator Willard moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

*Those voting in the affirmative were:

Senators Bailey, Benz, Hilligass, Hoover, Johnson, Johnston, Magee, McClure, McCullough, Null, Peterson, Rahm, Sellers, Smith of Jennings, and Willard. Total, 15.

Those voting in the negative were:

Senators Adkinson, Brown, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Howard, Huston, Macy, Marshall, Moon, McIntosh, Overstreet, Richardson, Smith of Delaware, Thompson, Youche and Zimmerman. Total, 25.

The motion was lost.

Senator Smith, of Jennings, offered the following amendment to House Bill No. 72:

MR. PRESIDENT:

I move to strike out the enacting clause.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Bailey Benz, Hilligass, Hoover, Howard, Johnson, Johnston, Magee, Null, Peterson, Rahm, Smith of Jennings, Willard. Total, 13.

Those voting in the negative were :

Senators Adkinson, Brown, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest Faulkner, Foulke, Fowler, Huston, Macy, Marshall, Moon, McCullough, McIntosh, Overstreet, Richardson, Smith of Delaware, Youche, Zimmerman. Total, 25.

The motion was lost.

Senator Fowler demanded the previous question.

Which was not seconded.

Senator Smith, of Jennings, offered the following amendment:

MR. PRESIDENT:

I move to amend the bill by striking out of section 2, line 8, the following words, to wit: "Including his own fees."

Not adopted.

Senator McCullough offered the following amendment:

MR. PRESIDENT:

I move to amend House Bill No. 72, by striking out the words: and any Clerk of the Supreme Court, or his deputy, or other person in his employ, and all following said words.

Adopted.

Senator Sellers moved that House Bill No. 72, together with the amendments, be referred to a special committee of three, composed of Senators Magee, Smith of Jennings, and Macy.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Day, Hilligass, Hoover, Howard, Johnson, Magee, McClure, McCullough, Null, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 20.

Those voting in the negative were:

Senators Adkinson, Brown, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Huston, Macy, Marshall, McIntosh, Overstreet, Peterson, Richardson, Smith of Delaware, Thompson and Winter. Total, 21.

The motion was lost.

Senator Youche moved that the amendments to Engrossed House Bill No. 72 be engrossed.

Carried.

Senator Magee called up Engrossed Senate Bill No. 45, and put it upon its passage.

The question being; Shall the bill pass?

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Johnson, Johnston, Lindley, Magee, Moon, McCullough, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Thompson, Weir, Youche and Zimmerman. Total, 29.

Those voting in the negative were:

Senators Benz, Bryant, Duncan of Tipton, Fowler, Hilligass, Hoover, Howard, Macy, Marshall, McClure, McIntosh, Overstreet, Shively, Smith of Jay, Smith of Delaware, Willard. Total, 16.

The bill passed.

The title as read was adopted.

Senator Smith, of Jennings, moved to reconsider the vote on Senate Bill No. 45.

Senator Foulke moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Johnson, Johnston,

Lindley, Magee, Marshall, Moon, McCullough, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Thompson, Weir, Youche and Zimmerman. Total, 27.

Those voting in the negative were :

Senators Bailey, Bryant, Duncan of Tipton, Fowler, Hill, Hilligass, Hoover, Howard, Macy, McClure, McIntosh, Overstreet, Smith of Jennings, Smith of Jay, Smith of Delaware, Willard. Total, 16.

The motion to reconsider was laid on the table.

The President announced that he had signed Enrolled Senate Bill No. 180.

Senator Sellers, from the Committee on Phraseology, made the following report :

MR. PRESIDENT :

Your Committee on Phraseology, etc., having had under consideration Senate Bill No. 341, recommend that the following be adopted as the title of said bill :

An act authorizing persons having claims against the State of Indiana to bring suit in the Supreme Court of the State, and authorizing persons to bring suit against the State in the Circuit Courts to quiet title to real estate in certain cases, prescribing the duties of the Attorney General and Prosecuting Attorneys in such cases, and declaring an emergency.

Report concurred in.

Senator Magee asked leave of absence for Senator Johnson until to-morrow P. M.

Granted.

Senator Sellers, from the Committee on Phraseology, etc., offered the following report :

MR. PRESIDENT :

Your Committee on Phraseology, etc., have had under consideration Senate Bill No. 226, and beg leave to report that said bill is correct, and recommend that no change be made in the bill ; they however recommend that the following be adopted as the title of the bill, in lieu of the present title, to wit :

An act to amend section 4 of an act entitled an act concerning interest and usury, approved March 10, 1879, being section 5201 of the Revised Statutes of 1881.

Report concurred in.

The Chair announced that he had signed Engrossed House Bill No. 158.

Senator Sellers, from the Committee on Phraseology, presented the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., having had under consideration Engrossed House Bill No. 90, beg leave to recommend that the second section of said bill be stricken out, and that when said bill is so amended that the same do pass.

SELLERS,
Chairman.

Report concurred in.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., having had under consideration Engrossed House Bill No. 48, beg leave to recommend that the words "Section 188," be inserted after the word "follows," in line 7 of section 1 of said bill.

SELLERS,
Chairman.

Report concurred in.

Senator Smith, of Jay moved to take up Senate Bill No. 226.
Lost.

Engrossed House Bill No. 80 was read a second time, together with the report of the committee recommending that the same do pass.

Senator Smith, of Jennings, gave notice that he would file a protest on the proceedings in the passage of Senate Bill No. 45, and asked that the same be spread upon the journal.

Consent.

Engrossed House Bill No. 82 was read a second time, together with the following report of the committee :

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 82, have had the same under consideration, and recommend that it do pass.

McINTOSH,
Chairman.

Engrossed House Bill No. 98 was read a second time, with the report of the committee.

Report concurred in.

Senator Smith, of Delaware, was called to the chair, temporarily.

Senator Weir moved that the constitutional rule be suspended and Engrossed House Bill No. 98 be read a third time and put upon its passage.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Johnston, Lindley, Macy, Magee, Marshall, Moon, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Delaware, Weir, Willard, Youche, Zimmerman. Total, 36.

Those voting in the negative were :

Senators Howard, McClure, Smith of Jennings, Smith of Jay. Total, 4.

The constitutional rule was suspended.

Engrossed House Bill No. 98 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators, Adkinson, Bailey, Benz, Brown, Bryant, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Youche, Zimmerman. Total, 39.

Those voting in the negative were :

Senators Davis and Duncan of Tipton. Total, 2.

The bill passed.

The title as read adopted.

The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 74, and the same is herewith returned to the Senate.

H. C. DARNELL,
Principal Clerk.

Senator Willard asked leave of absence for Senator Shively until to-morrow.

Granted.

Senator Macy asked leave of absence for Senator Campbell, of Hendricks.

Granted.

Senator Huston was granted leave of absence until to-morrow.

Senator Foulke moved to take up Engrossed House Bill No. 197.

Carried.

Engrossed House Bill No. 197 was read the second time, together with the following report of the committee :

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Engrossed House Bill No. 197, have had the same under consideration, and recommend that it do pass.

M. H. WEIR,
Chairman.

Concurred in.

Senator Foulke moved that the constitutional rule be suspended and that Engrossed House Bill No. 197 be read the third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Howard, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 37.

No one voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 197 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Howard, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Schloss, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 39.

No one voting in the negative.

So the bill passed.

Title as read adopted.

Senator Willard moved that when the Senate adjourn it be until to-morrow at 9:30 o'clock.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bryant, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Hoover, Howard, Johnston, Lindley, Macy, Magee, Marshall, Null, Overstreet, Peterson, Rahm, Smith of Jay, Smith of Delaware, Willard, Winter and Youche. Total, 23.

Those voting in the negative were:

Senators Bailey, Brown, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Moon, McClure, McCullough, McIntosh, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Thompson, Weir and Zimmerman. Total, 19.

Motion carried.

Senator Weir moved that the special order set for this evening be set for to-morrow at 10 o'clock.

Senator Youche moved to amend by adding Senate Bill No. 94 to the special order.

Consent.

Motion as amended was carried.

Senator Duncan of Brown moved that Senate Bill No. 201 be engrossed.

Carried.

Senator Thompson called up Senate Bill No. 75, which was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Senate Bill No. 75, introduced by Senator Thompson, have had the same under consideration, and recommend that it do pass.

M. WEIR,
Chairman.

Concurred in.

Senator Thompson moved that the constitutional rule be suspended and Senate Bill be considered engrossed, read a third time and put upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Schloss, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Duncan of Tipton, Faulkner, Richardson, Sellers, Smith of Jay, and Youche. Total, 7.

The constitutional rule was suspended and the bill was considered engrossed, read a third time and put upon its passage.

The question being, Shall the bill pass?

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Hill, Hilligass, Johnston, Macy, Moon, McCullough, Null, Peterson, Rahm, Schloss, Smith of Jennings, Smith of Delaware, Thompson and Weir. Total, 26.

Those voting in the negative were:

Senators Faulkner, Foulke, Hoover, McClure, McIntosh, Overstreet, Richardson, Sellers, Smith of Jay, Winter, Youche and Zimmerman. Total, 11.

The bill passed.

Title was read, and on motion referred to the Committee on Phraseology.

Senate Bill No. 305 was read a second time together with the following report of the committee:

MR. PRESIDENT :

Your Committee on Claims, to whom was referred Senate Bill No. 305, introduced by Senator Drake, have had the same under consideration, and recommend that it do pass.

M. WEIR,
Chairman.

Report concurred in and bill ordered engrossed.

Senator Magee moved that House Bills Nos. 29, 108 and 399 be made a special order for to-morrow at 11:30 o'clock.

Carried.

On motion of Senator Schloss, Senate Bill No. 104 was taken up and read a second time together with the report of the committee, recommending that the bill do pass.

Report concurred in.

Senator Schloss moved that the constitutional rules be suspended, and Senate Bill No. 104 be considered engrossed and read a third time and put upon its passage.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Johnston, Macy, Magee, Moon, McClure, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Delaware, Thompson, Weir, Youche and Zimmerman.
Total, 37.

None voting in the negative.

The constitutional rule was suspended and bill considered engrossed, and read a third time and put upon its passage.

The question being, Shall the bill pass?

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Drake, Duncan of Tipton, Ensley, Ernest, Faulkner, Fowler,

Hill, Hilligass, Hoover, Johnson, Magee, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 33.

Those voting in the negative were:

Senator McIntosh. Total, 1.

The bill passed.

Title referred to Committee on Phraseology for correction.

Senator Sellers, from the Committee on Phraseology, etc., made the following report:

MR. PRESIDENT:

Your Committee on Phraseology, to which was referred Senate Bill No. 75, begs leave to recommend that the following be adopted as the title of the bill, to wit: "An act to appropriate the sum of four hundred and six dollars and fifty-six cents to pay the claim of Patrick Kirland, and declaring an emergency," and it also recommends that the preamble be stricken out, and that words, present and A. D. 1885, be stricken out of the enacting clause of said bill.

SELLERS,
Chairman.

Concurred in.

On motion of Senator McCullough, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

MARCH 5, 1885.

Senate met in regular session at 9:30 o'clock, Lieutenant Governor Manson in the chair.

Opened with prayer by Hon. B. Wilson Smith, of the House of Representatives.

Journal read in part, and on motion of Senator Bailey the further reading was dispensed with.

Senator Bailey called up Engrossed House Bill No. 151, which was read a second time, with the report of the committee recommending that it do pass.

Report of committee concurred in.

Engrossed House Bill No. 151 was made a special order for Friday at 10 o'clock.

Senator Weir moved to suspend the constitutional rule and have House Bill No. 222 read a first, second and third time, and put it upon its passage.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Day, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Johnston, Marshall, Moon, McClure, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Zimmerman. Total, 29.

Those voting in the negative were :

Senators Adkinson, Bryant, Davis, Drake, Duncan of Tipton, Foulke, Huston, Macy, Overstreet, Willard, Winter, Youche. Total, 12.

Failed for want of constitutional majority.

Engrossed House Bill No 222 was read the first time.

Senator Sellers moved that the constitutional rule be suspended, read the second time, and that amendments be allowed to be offered, and that the bill, with the proposed amendments, be printed.

Senator Sellers moved the previous question.

Which was seconded.

The question being, Shall the main question be now put?

Carried.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hilligass, Hoover,

Howard, Johnston, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Zimmerman. Total, 34.

Those voting in the negative were:

Senators Adkinson, Campbell of Starke, Davis, Drake, Duncan of Tipton, Foulke, Hill, Huston, Johnson, Lindley, Macy, Magee, Willard, Winter, Youche. Total, 15.

The constitutional rule was suspended.

Engrossed House Bill No. 222 was read the second time.

Senators Overstreet, Magee, Macy, Fowler and Zimmerman offered amendments to Engrossed House Bill No. 222.

Senator Sellers moved that the reading of the amendments be waived until to-morrow.

Carried.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 74 with Enrolled Senate Act No. 74, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Day moved that Senate Bill No. 298 be made a special order for this afternoon at 2 o'clock.

Senator Weir moved that House Bill No. 406 be added to Senator Day's motion and be made a special order for the same time.

Carried.

Senator Youche moved that Senate Bills Nos. 31 and 342, the special order for this hour, be postponed until to-morrow, when Engrossed House Bill No. 222 came up.

Carried.

The special order set for this hour, 11:30, was taken up, the same being Senate Bills Nos. 84 and 94, together with two majority and one minority report—one report recommending the passage of the bill, the other recommending amendments and then the passage, and the minority recommending the indefinite postponement of the bill.

Senator May moved that the minority report be substituted in place of the others and be concurred in.

Senator Sellers moved that the report on Senate Bills Nos. 84 and 94, signed by himself and Senator Foulke, be adopted.

The Chair announced that he had signed Enrolled House Bills Nos. 201, 90, 422, 430, 352, 286, 327, and Senate Enrolled Bill No. 74.

On motion of Senator Faulkner, the Senate adjourned.

AFTERNOON SESSION.

MARCH 5, 1885.

The Senate met at 2 o'clock, with Lieutenant Governor Manson in the chair.

Senator Fowler moved to suspend the regular order and take up Concurrent Resolution No. 10.

Lost.

The unfinished business being the consideration of the different report on Senate Bills Nos. 84 and 94.

The question being on the substitution of the minority for the majority report, and concur in the report.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Day, Faulkner, Hilligass, Hoover, Howard, Johnston, Lindley, May, McClure, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Weir. Total, 19.

Those voting in the negative were :

Senators Bailey, Campbell of Starke, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Fowler, Foulke, Hill, Huston, Johnston, Magee, Marshall, Moon, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Thompson, Winter, Youche and Zimmerman. Total, 27.

Motion was lost.

Senators Youche moved that the majority report signed by himself and Senator Fowler, be concurred in.

Senator Fowler offered the following amendment to the report :

Provided, however, That the provisions of this law shall not apply to the present Reporter of the Supreme Court.

Senator Johnson, of Tippecanoe, offered the following amendment :

MR. PRESIDENT :

I offer the following amendment to the bill: Amend by adding: *Provided,* That the provisions of this act shall go into effect only from and after January 1, 1886.

Not adopted.

Senator Campbell, of St. Joseph, offered the following amendment as a substitute for amendment No. 2, to Senate Bill No. 84 :

Provided, That the provisions of this act shall not take effect until January 1, 1877.

Senator Weir moved to lay Senator Campbell's amendment on the table.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Day, Ernest, Faulkner, Hilligass, Hoover, Howard, Johnston, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, and Weir. Total, 18.

Those voting in the negative were :

Senators Adkinson, Bailey, Bryant, Campbell of Starke, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Johnson, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Sellers, Winter and Youche. Total, 26.

The motion was lost.

The question being on Senator Campbell's amendment.

The same was lost.

The next question being on the amendment of Senator Fowler.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Starke, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hilligass, Hoover, Howard, Johnston, Lindley, May, McClure, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir and Zimmerman. Total, 26.

Those voting in the negative were :

Senators Campbell of Hendricks, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Johnson, Macy, Magee, Marshall, Moon, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Winter and Youche. Total, 20.

Motion was carried.

The question now being on adopting the report made by Senators Youche and Fowler, with amendments.

Carried.

Senator Youche moved that the report made by Senators Youche and Fowler be concurred in.

Carried.

Senator Youche moved that the substitute to the bill, with amendments, be engrossed.

Carried.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 88, in relation to the State Militia, and the same is herewith transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

Senator McCullough moved that Senate Bill No. 322, be referred back to the Judiciary Committee.

Consent.

Senator McCullough, from Judiciary Committee, made a report on Senate Bill No. 322.

Report concurred in.

Senator Hill moved that the constitutional rule be suspended and Senate Bill No. 322 be read a second time, considered engrossed, read a third time, and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Stark, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 42.

Senator Duncan of Tipton voting in the negative.

The constitutional rule was suspended.

Senate Bill No. 322 was read a second time by title, together with the following report of the Committee on Judiciary:

Senator McCullough, from Committee on the Judiciary, offered the following report:

MR. PRESIDENT:

Your Committee on the Judiciary, to whom Senate Bill No. 322 was recommitted, have had the same under consideration,

and the committee direct me to report the same back to the Senate and recommend that the same be amended so as to read as follows, and that when so amended the bill do pass.

J. E. McCULLOUGH.

Report concurred in, and bill considered engrossed.

Engrossed Senate Bill No. 322 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Johnson, Johnston, Lindley, Macy, Magee, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 39.

Those voting in the negative were:

Senators Davis, Richardson and Willard. Total, 3.

The bill passed.

Title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Bill 430.

Also, House Concurrent Resolution No. 20.

Also, House Concurrent Resolution No. 21.

Also, House Concurrent Resolution No. 22.

Also, Senate Bill No. 325.

Also, Senate Bill No. 7.

Also, Senate Concurrent Resolution No. 26, in relation to General Grant.

Also, Senate Concurrent Resolution No. 27, in relation to the payment of Louis Reibold.

Also, House Bill No. 289.

And the same are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

Senator Magee moved to suspend the constitutional rule and Engrossed House Bill No. 29 be read a first time by sections, second time by title, a third time by sections, and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Starke, Day, Duncan of Brown, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Schloss, Sellers, Shively, Thompson, Weir, Winter, Youche and Zimmerman. Total, 37.

Senator Davis voting in the negative.

The constitutional rule was suspended.

Engrossed House Bill No. 29 was read a first time.

Engrossed House Bill No. 29 was read a second time.

Senator Davis offered the following amendment:

MR. PRESIDENT:

I move to strike out section 4 of House Bill No. 29.

Not adopted.

Engrossed House Bill No. 29 was read a third time and put upon its passage.

The question being, Shall the bill pass.

The ayes and noes being called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Johnston, Lindley, Magee, Marshall, May, Moon, McCullough, McIntosh, Overstreet, Peterson, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter, Youche, Zimmerman. Total, 35.

Those voting in the negative were:

Senators Davis, Drake, Fowler, Macy, Marshall, McClure, Richardson, Shively, Smith of Delaware, Willard. Total, 10.

The bill passed.

The title as read was adopted.

Senator Magee moved that the constitutional rule be suspended, and Engrossed House Bill No. 108 be read a second time by title, a third time by sections, and put upon its passage.

The ayes and noes being called resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 42.

Those voting in the negative were :

Senator Willard. Total, 1.

The constitutional rule was suspended.

Engrossed House Bill No. 108 was read the second time, together with the following report of the committee :

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 108, report that we have had the same under consideration, and recommend that said bill do pass.

THOMPSON,
Chairman.

Engrossed House Bill No. 108 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Starke, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Pe-

terson, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 43.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Foulke arose to a personal privilege, and presented the following protest of the Republican Senators against the passage of the re-apportionment bills:

We, all the Republicans now present in the Indiana State Senate, protest against the legislative apportionment bill just passed, upon the ground that we consider said bill unjust, unconstitutional, and as intended solely for the purpose of disfranchising Republicans in the State of Indiana.

A few simple figures will show its inequality. At the last election for Governor, 237,745 votes were cast for the Republican candidate, and 245,140 votes for the Democratic candidate. Forty-nine per cent. was cast by Republicans and 51 per cent. by Democrats. If it were intended that the General Assembly should be what it ought to be—a mirror of the public views of the State—the lower House ought to stand 51 Democrats to 49 Republicans, and the Senate, 26 Democrats to 24 Republicans. Again, if the State be divided by counties, the Democratic party has 56 per cent. of the counties in the State, and the Republican party 44 per cent. And if it were intended that the General Assembly should be a just representation by counties, this proposition ought to be observed.

By the existing Democratic apportionment, the Democrats are now in possession of 33 votes in the Senate against 17 Republican, and about the same proportion in the House of Representatives. Yet, even this does not satisfy them, and the proposed law is made, as they avow, simply because they have the power, and for the purpose of giving them a greater advantage. Let us see in what manner it is done. In the congressional gerrymander, as originally passed by the House and submitted to the Senate, the Fourth Congressional District consisted of the counties of Jefferson, Ripley, Decatur, Rush, Franklin, Union, Dearborn, Ohio and Switzerland. Six out of these nine coun-

ties are Republican counties ; together they cast a total Republican vote of between 18,000 and 19,000. Yet, these counties have been so doctored by combining them with Democratic counties within and without the district, that they will not send a single representative to the State Senate. The Republican majority of Union county is swept away by combining it with Franklin and Ripley. The Republican majorities in Ohio and Switzerland are neutralized by the Democratic vote of Dearborn county.

In order to defeat the Republican majority in Jefferson county, the Democrats connect it with the county of Clark, with which it has scarcely any territorial contiguity.

Decatur is in like manner joined with Shelby, and Rush with Hancock. Thus, this entire Republican vote of six counties having Republican majorities is disfranchised.

The Democratic county of Clark is made to do double duty in voting for two Senators and two Representatives. It is joined with Scott and Jennings for Senator, so as to overcome the Republican majority in Jennings; and with Floyd and Jefferson for Representative to overcome the Republican majority in Jefferson.

Brown county with a voting population of less than 2,500, also aids in electing *two Senators* in order to defeat the Republican majorities in Monroe and Morgan respectively.

Marion county, which is probably Republican, as was shown in the last election for Governor, is deprived of its proper proportional representation of three Senators and six Representatives, and is compelled to share one Senator and one Representative with Hancock and Shelby, both Democratic counties, a plain violation of the Constitution of the State.

The Democratic county of Hancock is much overworked, having the right to vote for two Senators and two Representatives, although its voting population is barely more than 4,000, while Wayne county with 10,000, votes for one Senator only.

Clinton county also, does double service for the Democratic party in the same manner, and Vermillion, which has hitherto had one Representative of its own, is now compelled to share with Vigo and Sullivan the honor of electing one Representa-

tive, it being necessary to go through Vigo county to Sullivan for the sufficient Democratic majority to neutralize the Republican vote of Vermillion.

The Republican majority of Lawrence county is disfranchised by combining it with Jackson for Senatorial purposes, and with Orange and Dubois for the election of a single Representative.

The floating Representative between Kosciusko and Wabash is taken away and given to Cass and Miami, which have a less population, simply because these counties happen to be Democratic.

The act ought to be entitled "An act to disfranchise Republican voters in the counties of Jefferson, Union, Rush, Noble, Green, Vermillion, Lawrence, Jennings, Tippecanoe, Kosciusko, Wabash, Marion, Decatur, Ohio, Switzerland and other counties, and to give to the Democratic voters in the counties of Brown, Clark, Hancock, Clinton, Boone and other counties, a double representation."

WM. D. FOULKE,
J. W. YOCHE,
L. D. ADKINSON,
MARVIN CAMPBELL,
J. H. LINDLEY.

The President announced that he had signed Enrolled Senate Bill No. 88.

The President presented the following communication from the Governor :

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 5, 1885. }

To the Honorable, the President of the Senate :

By the direction of the Governor, I have the honor to inform the Senate that he, on yesterday received, and to-day approved and signed, Senate Enrolled Acts Nos. 180, 65 and 16, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

The President presented the following communication from the Governor:

EXECUTIVE DEPARTMENT, }
INDIANAPOLIS, March 5, 1885. }

To the Honorable, the President of the Senate:

By the direction of the Governor, I have the honor to inform the Senate, that he to-day received, approved and signed Senate Enrolled Act No. 74, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills, have compared Engrossed Senate Bill No. 88 with Enrolled Senate Act No. 88, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Magee moved that the constitutional rule be suspended, and Engrossed House Bill No. 399 be read a first time by sections, a second time by title, and a third time by sections, and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Stark, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hoover, Howard, Huston, Johnston, Lindley, Magee, Marshall, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jay, Smith of Delaware, Thompson, Willard, Youche, Zimmerman. Total, 40.

Those voting in the negative were:

Senators Duncan of Tipton, Macy, McIntosh. Total, 3.

The constitutional rule was suspended.

Engrossed House Bill No. 399 was read a first time.

Senator Davis moved that the bill be considered read a second time.

Carried.

Senator Bryant moved that House Bill No. 399 be made a special order for to-morrow morning at 10:30 o'clock, and that 75 copies be printed.

Carried.

The following message was received from the House:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills 220 and 481, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Engrossed House Bill No. 211 was taken up on second reading as special order for this hour.

Senator Brown moved to suspend the constitutional rule, and that Engrossed House Bill No. 211 be read a second and third time and put upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Johnston, Lindley, Macy, Magee, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Winter, Youche and Zimmerman. Total, 38.

Senator Duncan of Tipton, voting in the negative.

The rules were suspended.

Engrossed House Bill No. 211 was read a second time.

Senator Overstreet offered the following amendment :

Amend by making 70 lbs. corn on the cob to constitute a bushel, and 50 lbs. sweet potatoes shall constitute a bushel.

Senator Fowler moved to amend Senator Overstreet's amendment by striking out 70 pounds of corn to constitute a bushel.

The ayes and noes being called on the adoption of the same, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Day, Drake, Ensley, Ernest, Faulkner, Fowler, Hill, Johnston, Macy, Magee, Marshall, McClure, McIntosh, Null, Richardson, Sellers, Shively, Weir, Willard and Zimmerman. Total, 23.

Those voting in the negative were :

Senators Benz, Campbell of Starke, Davis, Duncan of Brown, Hoover, Huston, Johnson, Lindley, Moon, Overstreet, Peterson, Rahm, Schloss, Smith of Delaware, Thompson, Winter and Youche. Total, 16.

Motion was carried.

The amendment of Senator Overstreet as amended was adopted.

Engrossed House Bill No. 211 was read a third time and put upon its passage.

Senator Fowler moved that the consideration of Engrossed House Bill No. 211 be temporarily postponed.

Carried.

Senator Magee asked leave of absence for Senator Adkinson indefinitely.

Granted.

Senate Bills Nos. 136 and 235 were made a special order for to-morrow morning at 10 o'clock.

Senator Foulke moved that the constitutional rule be suspended and Engrossed House Bill No. 400 be read a first time by sections and second time by title, a third time by sections, and placed upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Bryant, Campbell of Starke, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, Null, Overstreet, Peterson, Schloss, Shively, Smith of Jennings, Thompson, Weir, Willard, Youche, Zimmerman. Total, 34.

Those voting in the negative were :

Senators McClure and Sellers. Total, 2.

The constitutional rule was suspended.

Engrossed House Bill No. 400 was read the first time by sections and the second time by title.

Senator Youche offered the following amendment to House Bill No. 400 :

Section 1 of House Bill No. 400 as follows : *Be it enacted by the General Assembly of the State of Indiana, That any University or College incorporated by and under the laws of the State of Indiana, shall have the right to acquire and hold real estate by donation or devise or purchase on foreclosure of mortgage given to secure any part of the endowment fund of said University or College, and the same to dispose of for the use and purposes of such University or College, such real estate not to exceed in value the sum of five hundred thousand dollars, exclusively of the realty used and occupied for university and college grounds and buildings : Provided, That all such real estate shall be disposed of within twenty years after the same has been so acquired.*

The question being on adopting Senator Youche's amendment.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Ensley, Foulke, Fowler, Hoover, Marshall, McCullough, Peterson, Sellers, Shively, Smith of Jennings, Smith of Jay, Winter, Youche and Zimmerman. Total, 15.

Those voting in the negative were :

Senators Brown, Benz, Bryant, Campbell of Starke, Davis, Day, Duncan of Tipton, Hill, Lindley, Macy, Moon, McCullough, Null, Overstreet, Thompson and Weir. Total, 16.

There being no quorum present and voting, the amendment was not adopted.

The President announced that he had signed Enrolled House Bill No. 480.

On motion of Senator Youche, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

MARCH 6, 1885.

Senate met at 9:30 o'clock, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Rondthaler, of the Congregational church.

Journal read in part, and on motion, the further reading was dispensed with.

Senator Weir moved the call of the Senate.

Carried.

The roll being called, the following Senators answered to their names, viz. :

Senators Bailey, Benz, Brown, Bryant, Campbell of Starke, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Johnston, Macy, Marshall, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Youche and Zimmerman. Total, 37.

The chair announced that he had signed Enrolled House Bill No. 423.

Senator Weir moved that House Bill No. 400 be made special order for 2 P. M., this day.

Carried.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Joint Resolution No. 1, proposing an amendment to the constitution, and the same has been entered of record with the ayes and noes thereon, on the Journal of the House.

Also the amendments to House Bill No. 79.

Also that the House has passed House Concurrent Resolution No. 24, for the payment of \$650.00 to the Grand Hotel for committee rooms.

Also that the House has passed Senate Bill No. 67.

And the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Fowler moved that House Bill No. 211 be taken up.

Senator Overstreet moved to change the weight of sweet potatoes to 55 pounds to the bushel.

Carried.

The question being on the passage of Enrolled House Bill No. 211—

The question being, Shall the bill pass :

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Campbell of Stark, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner,

Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Magee, Moon, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Willard, Youche, Zimmerman. Total, 32.

Those voting in the negative were:

Senators Benz, McClure, and Smith of Delaware. Total, 3.

The bill passed.

Leave of absence was granted Senator Weir for this morning on account of sickness.

Senator Willard moved Engrossed House Bill No. 412 be made a special order for 2 o'clock P. M. to-day.

Carried.

Senator Sellers presented a communication in regard to the account of E. C. Nowels, Engrossing Clerk of the Senate and the State of Indiana, and moved that a committee of three be appointed to investigate the affairs, the committee having power to call for persons and papers, and authorized to administer oath.

Carried.

The President appointed the following committee:

Senators Sellers, Youche and Winter.

Senator Day moved to take up Senate Bill No. 293, suspend the constitutional rule, read the bill a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Starke, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Moon, McCullough, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Willard, Youche and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Duncan of Tipton, Fowler, Hill, Marshall, McClure, McIntosh, Smith of Jay, and Winter. Total, 9.

The constitutional rules were suspended.

Senate Bill No. 293, was read a second time by title, considered engrossed and read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Davis, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Hilligass, Hoover, Johnston, Lindley, Macy, Magee, Marshall, Moon, McCullough, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Youche and Zimmerman. Total, 30.

Those voting in the negative were:

Senators Duncan of Brown, Fowler, Hill, Huston, McClure, McIntosh, Overstreet, Smith of Jay, Winter. Total, 9.

The bill passed.

Title as read adopted.

Senator Willard asked indefinite leave of absence for Senator Faulkner on account of sickness in his family.

Granted.

Senator Bailey moved that Senate Bill No. 136 be taken up, and report of the committee concurred in.

Senator McIntosh moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Howard, Lindley, Macy, Marshall, Moon, McIntosh, Overstreet, Smith of Delaware, Winter and Youche. Total, 16.

Those voting in the negative were:

Senators Bailey, Benz, Bryant, Duncan of Brown, Ernest, Hilligass, Johnston, May, McClure, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Willard and Zimmerman. Total, 19.

The motion was lost.

Senate Bill No. 136 was taken up.

Senator Bailey moved that the report of the committee be concurred in.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Hill, Johnston, May, McClure, Null, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard and Zimmerman. Total, 22.

Those voting in the negative were:

Senators Campbell of Starke, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Hilligass, Huston, Lindley, Macy, Magee, Marshall, Moon, McIntosh, Overstreet, Peterson, Smith of Delaware, Winter and Youche. Total, 21.

Report concurred in.

Senator Bailey moved that Senate Bill No. 136 be engrossed.

Senator Sellers offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 136, by adding after the word "Sunday" in line 19 of section 1 of the printed bill, the following words "the fourth day of July, the first day of January, the twenty-fifth day of December (commonly called Christmas day), and Thanksgiving day, as designated by proclamation of the Governor of the State, or the President of the United States, or any legal holiday."

Adopted.

Senator Campbell, of St. Joseph, moved to indefinitely postpone the bill.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hilligass, Huston, Lindley, Macy, Magee, Marshall, Moon, McIntosh, Overstreet, Peterson, Richardson, Smith of Delaware, Winter, Youche, Zimmerman. Total, 24.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Brown, Hill, Johnson, Johnston, May, McClure, Null, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard. Total, 19.

The motion carried, and the bill was indefinitely postponed.

The following message was received from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 9 and 117, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Winter, from the Committee on Insurance, made the following report on Engrossed House Bill No. 153.

MR. PRESIDENT:

The Committee on Insurance, to whom was referred Engrossed House Bill No. 153, report that they have had said bill under consideration, and recommend that it be amended by striking out of section 1, in line 9, the word, "solely," and inserting in lieu thereof the words, "or foreign country," and that when so amended, the bill do pass.

I. H. FOWLER,
F. WINTER,
A. G. SMITH,
H. J. MAY,
WM. RAHM, JR.,
JAMES WILLARD,
M. C. SMITH.

Report concurred in.

Senator Bailey moved to suspend the constitutional rule and that Senate Bill No. 271, be read a second time by title, considered engrossed, and read a third time by sections, and put upon its passage.

The ayes and noes being called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Hoover, Johnson, Johnston, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Youche, Zimmerman. Total, 34.

No one voting in the negative.

The rules were suspended.

Senate Bill No. 271, was read a second time, considered engrossed, read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Drake, Duncan of Tipton, Ensley, Ernest, Fowler, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, and Zimmerman. Total, 40.

Those voting in the negative were:

Senators Campbell of Starke, Davis, Day, Foulke, and Hill. Total, 5.

The bill passed.

Senator Bailey moved to strike out section 3 of Senate Bill No. 271, and the title amended to conform thereto.

Carried.

Senator Foulke moved that the special committee appointed this morning to investigate the accounts of the Senate be also required to inquire into what has become of the statutes of members.

The President announced that he had signed Enrolled House Bills Nos. 98, 197 and 79.

On motion of Senator Sellers the Senate adjourned.

AFTERNOON SESSION.

MARCH 6, 1885.

The Senate met at 2 o'clock P. M., Lieutenant Governor Manson in the chair.

Senator Foulke offered the following resolution :

Resolved, That we heartily concur in the sentiments expressed in the inaugural address of President Cleveland, in regard to civil service reform, to-wit :

The people demand reform in the administration of the Government, and the application of business principles to public affairs. As a means to this end, civil service reform should be in good faith enforced. Our citizens have the right to protection from the incompetency of public employes who hold their places solely as the reward of partisan service, and from the corruptive influence of those who promise and the vicious methods of those who expect such rewards; and those who worthily seek public employment have thought to insist that merit and competency shall be recognized, instead of party subserviency or the surrender of honest political belief in the administration of a Government pledged to do equal and exact justice to all men. And that in the enforcement of the principles so declared, we pledge him our unqualified support without distinction of party.

Resolved, That a copy of this resolution be forwarded to the President.

Senator Smith, of Jennings, offered the following amendment to Foulke's resolution which, was accepted by Senator Foulke:

MR. PRESIDENT :

I move to amend by adding that we concur in the sentiment of the whole message.

Senator Benz moved to lay the whole matter on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, McClure, McCullough, Null, Rahm, Schloss, Smith of Delaware, Thompson and Zimmerman. Total, 15.

Those voting in the negative were:

Senators Drake, Duncan of Tipton, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Macy, Magee, Marshall, Moon, McIntosh, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Willard, Winter and Zimmerman. Total, 24.

Motion was lost.

Senator Willard offered the following as a substitute for the resolution and amendment:

MR. PRESIDENT :

Resolved, That we heartily concur in the sentiments expressed in the inaugural address of President Cleveland.

Resolved, That a copy of these resolutions be forwarded to the President.

Senator Magee moved the adoption of Senator Willard's substitute, and demanded the previous question which was seconded.

The question being on the adoption of the substitute of Senator Willard.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, How-

ard, Johnson, Magee, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Willard, Zimmerman. Total, 29.

Those voting in the negative were:

• Senators Campbell of Starke, Duncan of Tipton, Ensley, Huston, Lindley, Macy, Marshall, Overstreet, Smith of Delaware, Winter, Youche. Total, 11.

So the substitute was adopted.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 61 with Enrolled Senate Act No. 61, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 7 with Enrolled Senate Act No. 7, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The special order for this hour being Engrossed House Bill No. 399, the same was taken up and read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Hill, Hilligass, Johnson, Johnston, Magee. Total, 7.

Those voting in the negative were:

Senators Brown, Bryant, Campbell of Hendricks, Campbell of Stark, Davis, Day, Drake, Duncan of Tipton, Duncan of

Brown, Ensley, Ernest, Foulke, Fowler, Hoover, Howard, Huston, Lindley, Macy, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter, Youche, Zimmerman. Total, 36.

The bill failed to pass.

The President announced that he had signed Enrolled House Bills Nos. 29, 108; also, Enrolled House Joint Resolution No. 1, and Enrolled Senate Bills Nos. 7 and '61.

Senator Magee moved that the Senate take a recess for five minutes in honor of Mrs. Sarah Bolton, of Indiana.

Senator McClure, by consent, called up Engrossed House Bill No. 119.

Engrossed House Bill No. 119 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Engrossed House Bill No. 119, have considered the same, and direct me to report the same back to the Senate with the recommendation that it do pass.

COLUMBUS JOHNSTON,
Chairman.

Report concurred in.

Senator McClure moved that the constitutional rule be suspended and that Engrossed House Bill No. 119 be read a third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Winter, Youche, Zimmerman. Total, 36.

None voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 119 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Winter, Youche, Zimmerman. Total, 37.

None voting in the negative.

So the bill passed.

Title as read adopted.

The special order being Engrossed Senate Bill No. 151, the same was taken up.

Senator Foulke offered the following amendment:

MR. PRESIDENT:

I move to amend section 8 by inserting after the words, other than its stockholders, in line 8, section 3, the words, at a rate of interest not to exceed the legal rate of interest. Also, insert after the words, procuring loans, in line 11, the words, made to stockholders.

Adopted by consent.

Engrossed Senate Bill No. 151, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover,

Huston, Johnson, Johnston, Macy, Marshall, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Delaware, Thompson, Willard, Winter, Youche, Zimmerman. Total, 38.

None voting in the negative.

The bill passed.

Title as read was adopted.

The following message was received from the House.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 361 and 33, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

On motion of Senator Campbell, of St. Joseph, Senator Lindley was granted leave of absence on account of sickness.

The following communication was received from the Governor, the same being his veto message:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 6, 1885.

Gentlemen of the Senate:

Senate Bill No. 88: An act supplemental to an act, entitled an act for the organization and regulation of the Indiana Militia, was presented to me yesterday, March 5, 1885, for my approval, which is respectfully returned to the House in which it originated with my objections. While I recognize the importance of some additional legislation looking to a more perfect organization of the militia of the State and the necessity of the State extending by proper appropriation aid for its support, yet I am constrained to return this bill on account of constitutional and other objections.

The appropriation contained in the bill and any authorized expenditure from the military contingent fund would in my judgment be insufficient to a practical and successful execution of the law. While the burden of taxation falls so heavily upon our people the financial condition of the State is not such as to

warrant the outlay at the present or in the future necessary for such an organization of the militia of the State, as contemplated by this act. If, however, I were to waive this objection I still can not give my approval to the bill on account of grave constitutional objections.

Section 53 of the act provides, "that any member of the militia who shall fail to attend any drill, parade or encampment or any other duty when ordered shall be fined, and the commanding officer is authorized and directed if such fine is not paid within seven days after notice to issue his warrant for the amount of the fine therein named and deliver said warrant to the Sheriff or Deputy Sheriff, Town or City Marshal, or any Constable in the town or township where the delinquent resides, and such warrant shall be levied upon the goods and chattels of the delinquent, and the amount therein named shall be collectible without relief from valuation, appraisement or exemption laws." That is a very summary and arbitrary mode for collecting a fine, and contrary to the spirit of our institutions; it makes no provision for either a Judge, jury or trial. It makes the judgment of the officer final and denies the right of the delinquent to the benefit of the laws accorded to all in other cases.

Section 50 provides, "that any person who shall fail, refuse or neglect to deliver and return the books, blanks, arms or equipments, or other military property to the person to whom the same has been legally entrusted shall be deemed guilty of a misdemeanor, and upon conviction thereof may be fined in any sum not less than twice the value nor more than five times the value of such property, to which may be added imprisonment in the county jail for any period not exceeding three months."

Section 54 provides, "that any member of the organization who shall conduct himself in a disorderly manner, excite any riot or tumult or shall be guilty of drunkenness shall be deemed guilty of a misdemeanor, shall be liable to a fine not exceeding fifty dollars or be imprisoned in the county jail not exceeding ten days at the discretion of the Court or jury trying the offender, said fines named in this and the preceding section of this act to be imposed, collected and paid to the treasury of the county to which such delinquent or offender belongs, for the use and benefit of such company."

Section 60 further provides that, for any violation of its provisions, the offender shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not more than two hundred dollars, or may be imprisoned in the jail of the county where such offender resides for not more than six months, or either or both, at the discretion of the Court or jury trying the same, such punishment to be enforced by indictment or information in the name of the State of Indiana, in the Circuit Court of the county where the offender may reside. It is further provided, in section 65, that for any violation of the provisions thereof the offender shall be deemed guilty of a misdemeanor, and upon conviction may be fined in any sum not exceeding five hundred dollars and confined in the county jail for a term not exceeding six months, and on violating the provisions of section 64 shall be fined in any sum not less than five nor more than twenty dollars. And sections 3, 4 and 52 provides that any violation thereof shall be a misdemeanor and punishable by fine.

Section 72 provides that all fines and penalties for any violation of this act, except as otherwise specially provided, shall be paid to the Treasurer of the county in which such fines and penalties are assessed, and shall be paid by the County Treasurer to the Treasurer of State at the time such officer makes his annual settlement, and such sums of money so realized shall be by the Treasurer of State set apart as a portion of the military fund of the State for the sole use and benefit of the active militia of the State, to be paid out and expended on the order of the Governor.

In my opinion the disposition sought to be made of the money realized from the fines in the foregoing sections diverts the same from the common school fund to a military fund, and is contrary to the provisions of section 2, article 8, of the Constitution. It is provided in said section 2, article 8, of the Constitution that all fines assessed for breaches of the penal laws of the State shall constitute a part of the common school fund.

For the foregoing reasons, and others that might be given, I can not give my sanction to the bill. It is not conspicuous for brevity—it contains seventy-five sections—and its extreme length has prevented me from giving it a more extended review.

ISAAC P. GRAY.

The question being, Shall the bill pass, notwithstanding the veto of the Governor?

Senator Foulke moved to postpone the further consideration of the veto until to-morrow.

Lost.

Senator Willard moved that the Senate now proceed to consider the Governor's veto of Senate bill No. 88, and demanded the previous question.

Which was seconded.

The question being, Shall the main question be now put?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Day, Ernest, Fowler, Hoover, Huston, Johnston, Johnson, May, McIntosh, Null, Rahm, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard and Zimmerman. Total, 21.

Those voting in the negative were:

Senators Campbell of Hendricks, Campbell of Starke, Davis, Drake, Duncan of Tipson, Duncan of Brown, Ensley, Foulke, Hill, Macy, Marshall, Moon, McClure, McCullough, Overstreet, Peterson, Schloss, Sellers and Winter. Total, 20.

Motion carried.

The question being, Shall the bill pass, notwithstanding the Governor's veto?

Senator Foulke moved that Senate Bill No. 88, be referred to the Committee on Judiciary, for the consideration of its constitutionality, with instruction to report to-morrow morning.

Senator Smith, of Jennings, moved the previous question.

Which was seconded.

The question being, Shall the main question be now put?

Carried.

The question being on Senator Foulke's motion.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Campbell of Hendricks, Campbell of Starke, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Huston, Macy, Marshall, Moon, Null, Overstreet, Winter and Youche. Total, 16.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Fowler, Hoover, Johnson, Johnston, May, McClure, McCullough, McIntosh, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard and Zimmerman. Total, 26.

The motion was lost.

The question now being, Shall the bill pass, notwithstanding the Governor's veto?

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Campbell of St. Joseph, Duncan of Tipton, Foulke, Huston, Macy, Moon. Total, 6.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ernest, Fowler, Hill, Hoover, Johnson, Johnston, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard, Winter, Youche, Zimmerman. Total, 35.

The bill did not pass over the Governor's veto.

Senator Smith, of Jay, moved that when the Senate adjourn it be until 9:30 o'clock to-morrow morning.

Carried.

Senator Winter moved that Senate Bills Nos. 235, 267, 94, 375, 305, and House Bills Nos. 93, 412, 93, 47, and 80, and House Concurrent Resolutions Nos. 2 and 14, be made a special order for to-morrow morning.

Carried.

Senator Foulke moved that Senator Youche's amendment to Engrossed Senate Bill No. 400 be adopted.

Carried.

Senate Bill No. 400 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Duncan of Tip-ton, Duncan of Brown, Ensley, Ernest, Foulke, Hoover, Huston, Johnston, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Thompson, Winter, Youche. Total, 31.

Those voting in the negative were:

Senators Fowler, Smith of Jennings, Smith of Jay, Zimmerman. Total, 4.

So the bill passed.

Title as read was adopted.

On motion of Senator Benz the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING.

MARCH 7, 1885.

Senate met at 9:30 o'clock A. M., Lieutenant Governor Manson in the chair.

Session opened with prayer by the Rev. Mr. Staley, of the House of Representatives.

Journal read in part, and on motion of Senator Duncan of Brown the further reading was dispensed with.

Senator Duncan of Brown presented a resolution authorizing the payment for telegraphing resolution passed by the Senate.

Senator Youche moved to amend by having Democratic members pay for said telegram.

Whereupon Senator Magee took the matter in hand and agreed to attend to the payment by the Democratic Senators.

Senator Schloss offered the following resolution:

Resolved by the Senate, the House of Representatives concurring, that the Board of Public Printing are hereby directed to cause to be printed in cheap pamphlet form all laws passed by the General Assembly of 1885 that have an emergency clause to them, and distribute ten thousand copies of said pamphlets to the counties of this State, in the same proportion that the acts of the Legislature are now distributed, to be paid for out of any remaining funds appropriated for the expense of the General Assembly.

Senator Fowler moved to lay the resolution on the table.

Lost.

The question being on the passage of the resolution.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senatore Campbell of Starke, Foulke, Hoover, Lindley, Macy, Magee, Marshall, Moon, Overstreet, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Willard, Youche, Zimmerman. Total, 17.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Johnson, Johnston, McClure, McCullough, McIntosh, Peterson, Rahm, Shively, Smith of Delaware, Winter. Total, 25.

Not adopted.

Senator McCullough offered the following motion:

MR. PRESIDENT:

I move to appoint a committee of three, of which the mover shall not be one, to investigate the question of what employes of this Senate, if any, are entitled to extra pay, and if so, why they are entitled to such extra pay, and for what, specifically stating the facts.

McCULLOUGH.

Carried.

Senator Magee asked leave of absence for Senators Huston and Hoover until Monday at 12 m.

Carried.

Senator Bryant moved to take up House Joint Resolution No. 13.

Carried.

House Joint Resolution No. 13 was read.

Senator Winter offered the following amendment:

Strike out "compensation to be fixed by law," and insert "three hundred dollars per annum, payable quarterly."

Senator Willard offered the following amendment:

MR. PRESIDENT:

I move to amend the amendment by inserting five hundred.

The question being on Senator Willard's amendment.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Campbell of Stark, Day, Duncan of Tipton, Ernest, Macy, Magee, May, Moon, McCullough, Null, Schloss, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware, Willard. Total, 19.

Those voting in the negative were:

Senators Bailey, Benz, Campbell, Drake, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Johnson, Johnston,

Lindley, Marshall, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Winter, Youche, Zimmerman. Total, 23.

The amendment was lost.

Senator Smith, of Jay, moved to lay Senator Winter's amendment on the table.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were:

Senators Benz, Drake, Duncan of Brown, Ernest, Fowler, Hilligass, Johnston, Lindley, Magee, Marshall, May, Moon, McCullough, Overstreet, Schloss, Shively, Smith of Jennings, Smith of Jay, Winter, Youche. Total, 20.

Those voting in the negative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Tipton, Ensley, Foulke, Hill, Hoover, Johnson, Macy, McClure, McIntosh, Null, Peterson, Rahm, Richardson, Sellers, Smith, Willard, Zimmerman. Total, 23.

The motion to lay on the table was lost.

Senator Campbell, of St. Joseph, offered the following amendment:

MR. PRESIDENT:

I move to amend the amendment by inserting \$400 per annum in place of \$300 per annum, payable annually.

Senator Winter offered the following amendment:

Amend by striking out, "a compensation to be fixed by law, but no increase of compensation shall take effect during the session at which such increase may be made," and inserting, \$300 per annum, payable quarterly.

Senator Smith, of Jay, offered the following substitute:

By striking out, a compensation to be fixed by law, but no increase of compensation shall take effect during the session at which such services may be made, and inserting in lieu \$450 per annum, payable annually.

Senator Hilligass moved to indefinitely postpone the entire question.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Day, Drake, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Hoover, Johnson, Johnston, Lindley, Magee, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Winter, Youche, Zimmerman. Total, 28.

Those voting in the negative were:

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Duncan of Tipton, Foulke, Macy, Marshall, Moon, Rahm, Richardson, Sellers, Willard. Total, 15.

The motion carried.

Leave of absence was granted to Senator Thompson.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 325, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Willard moved that it be the sense of the Senate that the special orders set for to-day be taken up in their regular order.

Carried.

Senator Bailey moved that Senate Bill No. 236 be set down as special order as soon as the present special order is exhausted.

Carried.

Special order being Senate Bill No. 235, the same was taken up and read a second time, with the following report of the committee:

MR. PRESIDENT :

Your Committee on the Judiciary has had under consideration Senate Bill No. 235, a bill in relation to the civil jurisdiction of Justices of the Peace, and the committee directs me to report the same back to the Senate and recommend that it do pass.

McCULLOUGH,
Chairman.

Report concurred in.

Senator Winter moved to suspend the constitutional rule and consider Senate Bill No. 235 engrossed, and read a third time and put upon its passage.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Campbell of Hendricks, Campbell of Starke, Davis, Day, Drake, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Johnson, Johnston, Lindley, Macy, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Delaware, Winter, Zimmerman. Total, 34.

Senators Ernest and Null voting in the negative.

So the constitutional rule was suspended.

Engrossed Senate Bill No. 235 was read a third time.

The question being, Shall the bill pass?

The ayes and noes were called, and resulted as follows:

Those voting in the affirmative were :

Senators Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Winter, Youche, Zimmerman. Total, 35.

Those voting in the negative were :

Senators Ernest and Null. Total, 2.

The bill passed.

Title as read adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions Nos. 25 and 26, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Smith, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills, have compared Engrossed Senate Bill No. 325, with Enrolled Senate Act No. 325, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Special order being House Bill No. 222, the same was taken up.

Senator McCullough moved that the Senate go into a Committee of the Whole, to consider Engrossed House No. 222.

Carried.

Senator McCullough as chairman of the Committee of the Whole reported progress, and asked leave to set again at 2 o'clock P. M.

Consent.

Senator Hilligass introduced Senate Bill No. 346, entitled :

"An act supplemental to an act for the organization and regulation of the Indiana Militia, prescribing penalties for violation of said regulations, providing for the election and appointment of officers, defining the duties of military and civil officers, and penalties for the neglect or violation thereof, providing for courts martial, courts of administration and military encampments, making appropriation for the support of said militia, repealing all laws heretofore enacted on that subject, saving certain acts therein named and declaring an emergency for the immediate taking effect thereof," approved May 11,

1861, and matters connected therewith, for the fixing of the term of enlistment and manner of discharge, prescribing the exemptions for members and honorary members of the active militia, defining the duties and pay of the Adjutant General, providing for the care of public property and armories, defining the power of the Governor, and making appropriation for the support the of the active militia, repealing all laws or parts of laws in conflict with this act and declaring an emergency.

Read first time and referred to Committee on Military Affairs.

Senator McCullough made a report on Senate Bill No. 412.

Senator Willard asked leave of absence for Senator Null until Monday.

Granted.

Senator Magee asked leave of absence for Senator Hilligass. Granted.

On motion of Senator Magee, Senate adjourned.

AFTERNOON SESSION.

MARCH 7, 1885.

Senate met at 2 o'clock P. M., with Lieutenat-Governor Manson in the chair.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Bill No. 400, and asks for a conference committee. On the part of the House, Messrs. Staley and Smith have been appointed.

Also, that the House has concurred in Senate amendments to House Bill No. 277.

H. C. DARNELL,
Clerk.

The President appointed the following conference committee on Engrossed House Bill No. 400:

Senators Day and Davis.

Senator Foulke moved that the order of business be so changed that he be permitted to introduce a general appropriation bill.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of Hendricks, Campbell of Stark, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Johnson, Macy, Marshall, McIntosh, Richardson, Smith of Jennings, Thompson, Winter, Youche. Total, 21.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Duncan of Brown, Johnston, Magee, May, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jay, Smith of Delaware, Willard, Zimmerman. Total, 20.

So the motion carried.

The President announced that he had signed Enrolled Senate Bill No. 325 and House Enrolled Bill No. 119.

The President appointed the following committee to report what employes were entitled to extra pay: Senators McClure, Benz and Foulke.

The President presented the following communication from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 7, 1885.

Gentlemen of the Senate:

Pursuant to the provisions of the Revised Statutes, 1881, section 4986, I have the honor to appoint Dr. William A. Fritsch, of Vanderburg county, a member of the State Board of Health, to succeed J. W. Compton, resigned December 4, 1884, and to serve as such for a term of four years, from the 28th day of

February, 1885, and until his successor shall have been appointed and qualified, and I now submit such appointment to the Senate for confirmation.

ISAAC P. GRAY,
Governor.

Senator Magee moved that the Senate go into a Committee of the Whole to consider the Appropriation Bill introduced by Senator Foulke.

Carried.

The Senate resolved itself into a Committee of the Whole.

Senator Magee, chairman of the Committee of the Whole, reported progress; that the committee had under consideration Senate Bill No. 347, and that the further consideration of the same be postponed until Monday morning at 10 o'clock.

Senator Foulke moved that the report be not concurred in.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Starke, Day, Duncan of Brown, Ernest, Fowler, Hill, Hilligass, Johnson, Johnston, Magee, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Zimmerman. Total, 30.

Those voting in the negative were:

Senators Davis, Drake, Duncan of Tipton, Ensley, Foulke, Lindley, Macy, Marshall, Winter, Youche. Total, 10.

The motion was lost, and report concurred in.

Senator Smith, of Jennings, moved that House Bill No. 13 be taken up from the table.

Carried.

Engrossed House Bill No. 13 was read a second time.

Senator Smith, of Jennings, offered the following amendment:

MR. PRESIDENT :

I move to amend by striking out all after the enacting clause and adding the following after the enacting clause :

SECTION 1. That all aliens residing in the State of Indiana, who shall have declared their intentions to become citizens of the United States conformably to the laws thereof, may acquire and hold real estate in like manner as citizens of this State.

SEC. 2. All other aliens may take and hold land by devise and descent only, and may convey the same at any time within five years thereafter, and no longer, and all land so left and remaining unconveyed at the end of five years, shall escheat to the State.

SEC. 3. Nothing herein contained shall prevent the holder of any lien upon or interest in real estate heretofore acquired from taking a valid title to the real estate in which he has such interest, or upon which he has such lien.

SEC. 4. An emergency exists for the immediate taking effect of this act, therefore it shall be in force from and after its passage.

Adopted.

Senator Smith, of Jennings, moved to suspend the constitutional rule, read the bill as amended the second time, considered engrossed, read a third time by sections, and put upon its passage.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, Youche, Zimmerman. Total, 39.

None voting in the negative.

The constitutional rules were suspended.

Engrossed House Bill No. 13 was read a third time, and put upon its passage.

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Stark, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hillgass, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Youche, Zimmerman. Total, 42.

None voting in the negative.

The bill passed.

The title was read, and on motion amended to read as follows:

An act concerning the ownership and alienation of real estate by aliens, and declaring an emergency.

Senator Shively, from the Committee on Executive Appointments, made the following report:

MR. PRESIDENT:

Your Committee on Executive Appointments, to whom was referred the appointment made by the Governor of Dr. Wm. A. Fritsch, of Vanderburgh county, as a member of the State Board of Health, would report that the appointment be confirmed by the Senate.

JAMES S. SHIVELY,
Chairman.

Report concurred in.

The President presented the following communication from the Governor.

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 7, 1885.

To the Honorable the President of the Senate:

By the direction of the Governor I have the honor to inform the Senate that he has received, and to-day approved and sign-

ed, Senate Enrolled Acts Nos. 7 and 61, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

Senator Schloss was granted leave of absence until Monday next.

Senator Smith of Jay moved that the Senate go into Committee of the Whole to consider House Bill No. 222.

Carried.

The Senate resolved itself into Committee of the Whole.

Senator McCullough, chairman of the Committee of the Whole, reported progress, and asked leave to sit again on Monday morning at 9:30 o'clock.

Report concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 178, and the same is herewith transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

Also, the House has adopted House Concurrent Resolution No. 26, and the same is herewith transmitted to the Senate for action.

H. C. DARNELL,
Clerk of the House.

Senator Duncan of Brown offered the following Concurrent Resolution :

Resolved by the Senate, the House concurring, That Clarence Ellis be allowed the sum of \$2.50 per day for eleven (11) days, amounting to the sum of \$27.50, and that the President of the Senate be directed and authorized to draw his warrant for the payment of such sum.

Referred to a special committee on Expenses of the Senate.

Senator Day, from the conference committee on House Bill No. 400, made the following report:

MR. PRESIDENT:

Your conference committee on House Bill No. 400 make the following report:

The House accepts the Senate amendments, and the Senate restores to the bill the proviso stricken from the House bill, so that section 1, as amended, will read as follows:

Section 1. *Be it enacted by the General Assembly of the State of Indiana, That any university or college, incorporated by and under the laws of the State of Indiana, shall have the right to acquire and hold real estate by donation, devise or purchase on foreclosure of mortgage given to secure any part of the endowment fund of said university or college, and the same to dispose of for the use and purposes of such university or college, such real estate not to exceed in value the sum of five hundred thousand dollars, exclusive of the realty used and occupied for university and college grounds and buildings: Provided, That all such real estate shall be disposed of within twenty years after the same has been so acquired: And provided further, That any such university or college shall, within six months after the approval of this act, file with the Secretary of the State of Indiana a certified copy of the proceedings of the Board of Trustees of such university or college accepting the provisions hereof as part of the organic laws of such university or college.*

On behalf of the Senate:

JOHN S. DAY,
W. J. DAVIS.

On behalf of the House:

E. H. STALEY,
B. WILSON SMITH.

The question being on concurring in the report of the committee.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Tipton, Ensley, Hill, Johnston, Lindley, Marshall, Moon, McCullough, Null, Overstreet, Winter. Total, 18.

Those voting in the negative were :

Senators Duncan of Brown, Ernest, Foulke, Fowler, Hilligass, Howard, Johnson, Magee, McClure, McIntosh, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Youche, Zimmerman. Total, 18.

The report was not concurred in.

Senator Foulke moved to reconsider the vote taken on report of conference committee on House Bill No. 400.

Carried.

The question being on concurring in the report of the conference committee on House Bill No. 400.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Bailey, Bryant, Campbell of Hendricks, Davis, Day, Drake, Ensley, Foulke, Hill, Macy, Magee, Moon, McCullough, Null, Overstreet, Smith of Delaware, Thompson, Winter. Total, 19.

Those voting in the negative were :

Senators Duncan of Brown, Ernest, Fowler, Hilligass, Howard, Johnston, Marshall, McClure, McIntosh, Richardson, Sellers, Smith of Jennings, Smith of Jay, Willard, Youche, Zimmerman. Total, 16.

The report was concurred in.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 178, with Enrolled Senate Act No. 178, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

On motion of Senator Hilligass, House Concurrent Resolution No. 16, was taken up and read, together with the report of the committee, recommending that the same do pass.

The question being on adopting the resolution.

Which was adopted.

Senator Magee moved to take up House Bill No. 412, suspend the constitutional rule, read the bill a second and third time, and put upon its passage.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Howard, Johnston, Magee, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Sellers, Smith of Jennings, Smith of Jay, Thompson, Willard, Winter, Youche, Zimmerman. Total, 34.

Those voting in the negative were :

Senators Benz, Drake, Macy, Marshall. Total, 4.

The constitutional rule was suspended.

Engrossed House Bill No. 412 was read a second time, together with the following report of the committee.

Senator McCullough, from the Committee on Judiciary, offered the following report :

MR. PRESIDENT :

Your Committee on the Judiciary to whom was referred House Bill No. 412, have had the same under consideration and report the same back to the Senate, with the recommendation that it do pass.

McCULLOUGH.

Report concurred in.

Engrossed House Bill No. 412 was read a third time, and put upon its passage.

The question being, Shall the bill pass ?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Howard, Johnston, Magee, Marshall, May, Moon, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Sellers, Smith of Jennings, Smith of Jay, Thompson, Willard, and Zimmerman. Total, 30.

Those voting in the negative were :

Senators Davis, Drake, Macy, McClure, Winter, and Youche.
Total, 7.

So the bill passed.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in the report of the conference committee on House Bill No. 400.

Also, that the House has passed Senate Bill No. 43.

H. C. DARNELL,
Principal Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Bill No. 13.

H. C. DARNELL,
Principal Clerk.

The President announced that he had signed Enrolled Senate Bill No. 178, and Enrolled House Bill No. 211.

Senator Willard moved that when the Senate adjourn it be until Monday at 9:30 o'clock A. M.

Carried.

Senator Bailey moved to reconsider the vote by which Engrossed Senate Bill No. 293 was passed.

Senator Foulke asked leave of absence for himself until Monday.

Granted?

On motion of Senator Youche, the Senate adjourned to 9:30 o'clock Monday morning.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

MARCH 9, 1885.

Senate met in regular session at 9:30 o'clock A. M., Lieutenant Governor Manson, in the chair.

Reading of the beautiful hymn, Rock of Ages, etc., was substituted for prayer.

Journal read in part, and, on motion of Senator Sellers, the further reading was dispensed with.

Senator Willard, moved that a committee of three be appointed to wait upon the Governor, and ascertain if he has any further communications to make to this Senate.

Concurred in.

The chair appointed as such committee the following:

Senators McCullough, Magee, and Moon.

House Concurrent Resolution was taken up.

Senator Macy moved to amend said resolution.

Senator Magee was called to the chair temporarily.

Senator McCullough moved that House Concurrent Resolution be referred with amendment to the same committee on the part of the Senate, who had charge of the Knightstown investigation.

So referred.

Senator Magee moved that the Senate take a recess, pending the report of the committee appointed to wait upon the Governor.

Carried.

Senate took a recess.

Senate reconvened, Lieutenant Governor Manson in the chair.

The committee who were appointed to wait upon the Governor, made the following report :

MR. PRESIDENT :

Your committee have waited on the Governor, and he requests us to say that he has no further communication to make except what is already on the President's table.

MAGEE,
Chairman.

The following proclamation was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 9, 1885.

WHEREAS, The constitutional term of the present regular session of the General Assembly expires to-day, and the time has now elapsed within which bills should be presented to the Governor for approval; and,

WHEREAS, The present regular session has failed to pass a general appropriation bill, making provision to carry on the State government and to support the various State institutions for the years 1886 and 1877; a bill making specific appropriations; a bill to raise revenue and make appropriations during the years 1886 and 1887 to continue the construction of the new State House, and other important bills, which are now pending before the General Assembly; and,

WHEREAS, Section 3 of Article X of the Constitution provides that "no money shall be drawn from the Treasury but in pursuance of appropriations made by law;" that to the legislative department alone is delegated the duty and authority to raise revenue by taxation, and appropriate the same to the support of the State government and its institutions; that the disbursement of money from the Treasury under the authority of the executive and administrative departments of the State, in the absence of the regular legislative appropriations, is inaugurating a dangerous practice and precedent, and should not be resorted to except in great and unforeseen emergencies, because it deprives the Legislature, as the representative of the people, of its proper functions, and is contrary to the spirit and intention of the Constitution, that the Legislature should have a care and oversight in the expenditure of public money; and,

WHEREAS, The construction of the new State House can not be continued without further aid from the State, and to discontinue such construction now would entail a loss upon the State and an increased expense to the people ;

Therefore I, Isaac P. Gray, Governor of the State of Indiana, do hereby make proclamation, that in my opinion the public welfare requires a brief special session of the General Assembly of the State of Indiana, and I do hereby call a special session of the present General Assembly, to be held in the Marion County Court House, commencing on Tuesday, the 10th day of March, 1885, at 9 o'clock in the forenoon.

In witness whereof, I have hereunto set my hand and caused to be affixed the seal of the State, at the City of Indianapolis, this 9th day of March, in the year of our Lord eighteen hundred and eighty-five.

ISAAC P. GRAY.

By the Governor: WILLIAM R. MYERS,
Secretary of State.

Senator Magee moved that the Senate take a recess until 2 o'clock to-day.

Concurred in.

AFTERNOON SESSION.

MARCH 9, 1885.

Senate called to order at 2 p. m. by Lieutenant Governor Manson, President.

The President called Senator Bryant to the chair temporarily.

Senator Smith, of Jennings, moved that the vote by which Senate Bill No. 293 was passed be reconsidered.

Lost.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 9, 1885.

To the Honorable, the President of the Senate:

By the direction of the Governor I have the honor to inform the Senate that on the 7th inst. he received and to-day approved and signed Senate Enrolled Acts Nos. 178 and 43, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

The President announced that he had signed Enrolled House Bills Nos. 412, 400, 151 and 13; also, Enrolled Senate Bill No. 43.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 9, 1885.

Gentlemen of the Senate:

Senate Enrolled Act No. 325, entitled "An act authorizing the dissolution of the Eastern Indiana Agricultural, Mechanical and Trotting Park Association, and declaring an emergency," was received by me on the 7th instant, and is herewith returned without my approval, and with my objections to the House in which it originated.

The bill has not received my approval on account of constitutional objections.

It is provided in section 23, of Article 4, of the Constitution: "In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State."

And again in section 13, of Article 11, it is provided: "Corporations, other than banking, shall not be created by special act, but may be formed under general laws."

The bill under consideration I believe to be special legislation, because by its terms it is limited to a single corporation,

and that corporation is designated by name. It is, in my opinion, contrary to said section 23, as it will not be contended that the legislative authority could not provide, by a general law, for the dissolution of corporations.

The framers of the Constitution sought to avoid the evils of special legislation, and in providing that no corporation other than banking, should be created except by a general law, requires by implication that no corporation shall be dissolved except pursuant to the provisions of a general law.

The bill is objectionable in another feature. It provides that the corporation may be dissolved by "a majority vote of the stock and stockholders of said association." The charter of a corporation, after investments made under its provisions, is a contract which the Legislature can not impair or compulsorily amend; and without a provision in the incorporating statute, reserving a power to alter or amend the same, the Legislature can not, either under the Constitution of the United States, or the State of Indiana, impair the obligation of the vested rights of a minority of the stockholders to enjoy the privileges and franchises of the corporation.

Under the foregoing reasons, I do not feel justified in giving my approval to the bill.

ISAAC P. GRAY,
Governor.

The question being on the passage of Enrolled Bill No. 325, notwithstanding the Governor's veto.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Davis, Drake, Duncan of Tipton, Eusley, Huston, Winter, Youche. Total, 7.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of Stark, Duncan of Brown, Ernest, Fowler, Howard, Johnson, Johnston, Magee, May, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Willard, Zimmerman. Total, 28.

So the bill did not pass, and the Governor's veto was sustained.

Senator Smith of Jay moved to reconsider the vote by which House Joint Resolution No. 13 was indefinitely postponed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 29, also, House Concurrent Resolution No. 27, and the same are herewith transmitted to the Senate for action.

H. C. DARNELL,
Principal Clerk.

Senator Adkinson was granted leave of absence for an indefinite time.

Senator Willard was granted leave of absence for an indefinite time.

Senator Johnson moved to take up Concurrent Resolution No. 8.

Carried.

Senator Johnston moved the previous question.

Carried.

The question being, Shall the main question be now put?

Carried.

The question being on the passage of the resolution.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Bryant, Duncan of Tipton, Duncan of Brown, Ernest, Huston, Johnson, Macy, Magee, Marshall, Moon, Rahm, Schloss, Smith of Jennings, Thompson, Winter. Total, 17.

Those voting in the negative were:

Senators Benz, Campbell of Starke, Davis, Drake, Ensley, Fowler, Johnston, Lindley, McClure, McIntosh, Overstreet, Peterson, Richardson, Sellers, Smith of Delaware, Youche, Zimmerman. Total, 16.

So the resolution failed to pass for the want of a constitutional majority.

Senator Campbell, of Hendricks, moved to reconsider the vote on Senate Bill No. 325.

Senator Zimmerman offered the following resolution :

MR. PRESIDENT :

I move the adoption of the following resolution :

WHEREAS, It has been the custom of the Senate of Indiana, at the closing day of former sessions of the General Assembly, to allow, by resolution, additional amounts to the salaries of its officers and employes as provided for by statute ; and

WHEREAS, This practice of wasting the people's money is highly detrimental to sound public policy and inconsistent with the paramount principles of reform, economy and honesty in public affairs ; be it

Resolved by this Senate, That we will not vote any allowances to any of the officers and employes of the Senate for services rendered during this session of the General Assembly in addition to the amount provided for by statute, except for such extra services as are indispensable hereafter, to properly complete the Journal and other necessary clerical work upon the final adjournment of this Senate.

ZIMMERMAN.

Resolution adopted.

Senator Winter offered the following resolution :

Resolved, That the thanks of the Senate are tendered to Lieutenant-Governor Manson for the great fairness and impartiality with which he has presided over its deliberations.

Unanimously adopted.

On motion of Senator Brown, of Allen, the Senate adjourned *sine die*.

MAHLON D. MANSON,
President of the Senate.

JOURNAL

OF THE

INDIANA STATE SENATE

DURING THE

SPECIAL SESSION

OF THE

FIFTY-FOURTH GENERAL ASSEMBLY

Commencing Tuesday, March 10, 1885.

INDIANAPOLIS:
WM. B. BURFORD, CONTRACTOR FOR STATE PRINTING AND BINDING.
1885.

JOURNAL
OF THE
INDIANA STATE SENATE.

SPECIAL SESSION.

TUESDAY MORNING,

MARCH 10, 1885.

The Senate met pursuant to a call of the Governor, with Lieutenant-Governor Manson in the chair.

Opened with prayer by Rev. Mr. Abbott.

The proclamation of the Governor was read.

The roll was called, and the following members responded :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks and Putnam, Campbell of Starke and St. Joseph, Davis, Drake, Duncan of Hamilton and Tipton, Duncan of Bartholomew, Brown and Monroe, Ensley, Ernest, Foulke, Fowler, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Smith of Jackson and Jennings, Smith of Adams, Blackford and Jay, Smith of Delaware and Randolph, Thompson, Winter, Youche and Zimmerman.

On motion of Senator Magee, all Senators who are absent from the City be granted leave of absence until next Friday.

Senator Magee moved that the present officers of the Senate be continued in their positions during the Special Session.

Carried.

Senator Schloss moved that a special committee of three be appointed to wait upon the House and inform them that the Senate is in session and ready for the transaction of business; also, to wait upon the Governor and inform him also.

Carried.

The President appointed the following committee:

Senators Schloss, Rahm, and Overstreet.

Senator Benz offered the following resolution:

Resolved, That whenever any employe of the Senate desires a leave of absence, he shall apply to the Senate for the same, and any employe who shall be absent from duty without leave granted to him by the Senate, shall receive no pay for the time he may be so absent.

BENZ.

Adopted.

Senator Youche offered the following resolution:

Resolved, That the Secretary, Assistant Secretary, and Door-keeper of the Senate, be required to report to the Senate the employes employed by them, respectively, showing the dates of their employment.

YUCHE.

Adopted.

Senator Fowler offered the following resolution:

WHEREAS, The Secretary and Assistant Secretary have agreed to furnish men of their corps to act in the capacity of committee clerks, during the extra session; therefore, be it

Resolved, That all committee clerks (except the clerk of the Committee on Enrolled Bills), employed during the regular session of this Senate, are hereby discontinued during this special session.

Adopted.

Senator Campbell, of St. Joseph, offered the following resolution:

Resolved, That the officers of the Senate be required to post a list of their employes in a conspicuous place, as required by statute.

MARVIN CAMPBELL.

Adopted.

Senator May offered the following resolution:

Resolved, That the Assistant Secretary of the Senate be authorized to pay Joseph P. Clemens thirty dollars (\$30), for services rendered under said officer prior to the appointment and transfer of said Clemens to a committee clerkship in the Senate.

H. J. MAY.

Adopted.

On motion Doorkeeper Cope was granted leave of absence indefinitely.

Senator Youche moved that a special committee of five be appointed, to whom shall be referred the Engrossed House Bill No. 222.

Carried.

The President appointed the following Committee: Senators Youche, Magee, Sellers, Overstreet, and McCullough.

The House announced that they had convened and were ready for business.

Senator Huston introduced Senate Bill No. 347, entitled:

An act designating and providing for the observance of an "Arbor Day."

Read the first time, and referred to the Committee on Education.

Senator Magee moved that when the Senate adjourn, it be until 2 o'clock Friday.

Senator Winter offered the following resolution :

Resolved, That Engrossed House Bill No. 361 be referred to the Committee on the Judiciary, and that said committee, in considering said bill, have power to send for persons and papers.

Adopted.

Senator Schloss introduced Senate Bill No. 348, entitled :

An act to release the city of Terre Haute from liability to repair the State Normal School buildings and grounds.

Whereas, The city of Terre Haute has perfected the title of the State Normal School lot, at Terre Haute, in the trustees of the State Normal School, and has made the further agreement to vacate that portion of said building heretofore occupied by such city.

Read a first time and referred to the Committee on Education.

Senator Bailey offered the following resolution :

Resolved by the Senate, the House concurring, That William H. Drapier be, and he is hereby, allowed the sum of two-thirds of a cent per page, per copy—the same price as heretofore uniformly allowed for the same number of copies (1,750) of the Brevier Legislative Reports—of this present Fifty-fourth General Assembly, ten copies to be forwarded to each member of the General Assembly; and the Auditor of State is hereby authorized to draw his warrant on the fund appropriated for legislative expenses for the amount found by him to be due.

Adopted.

Resolution for the payment of Prison Committee :

Resolved, That the members of the Senate Committee on Affairs of the Prisons be, and are hereby, allowed for their expenses in visiting the Prisons North and South, as follows :

Frederick Hoover	\$20 00
C. A. Faulkner.....	20 00
Lycurgus Null.....	20 00
John W. Lindley.....	20 00
Marion Campbell.....	20 00
Andrew Marshall.....	20 00
John Benz.....	20 00

Resolved, That the President of the Senate is hereby instructed to draw his warrants for the above amounts.

Referred to the Committee on Claims.

Senator Fowler offered the following amendment :

Resolved, That the rules adopted as amended, for the government of the Senate at the last regular session of the General Assembly, be, and are hereby, adopted for the government of the special session of 1885.

Senator Youche offered the following amendment to Fowler's resolution :

MR. PRESIDENT:

I move to amend so as to require two-thirds of all the Senators present to dispense with the regular order of business.

Adopted.

The question being on the adoption of Senator Fowler's resolution as amended.

The same was adopted.

The following was presented to the Senate:

The committee appointed in the Democratic caucus last evening to confer with the Secretary, Assistant Secretary and Doorkeeper as regards their respective forces, make the following report :

Secretary's Force—

Isaac White, File Clerk.

P. W. Raleigh, Register Clerk.

James Walsh, Reading Clerk.

Phillip Ryan, R. A. Taylor, T. C. Williams, J. R. Fritts, John Hanna, Florence Williams, W. P. Knight, and John Sands, Enrolling and Engrossing Clerks.

Assistant Secretary's Force—

John H. Anderson, Principal Journal Clerk.

John L. West, Minute Clerk.

C. W. Brake and John J. Lingle, Assistant Journal Clerks.

Sam Swartwood, Robt. Newland, Joseph F. Friedman, Copying Clerks.

The Doorkeeper's force remains as it is, with the exception of the Folding Clerk and the Assistant to the Doorkeeper, making the force two less.

PHILLIP SCHLOSS,
I. H. FOWLER,
E. W. BROWN.

On motion of Senator Magee, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY AFTERNOON.

MARCH 13, 1885.

Senate met, pursuant to adjournment, at 2 o'clock, with Lieutenant-Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Abbott.

The Journal was read in part, and, on motion, the further reading was dispensed with.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed the following Senate Bills:

Senate Bill No. 4, to protect the ballot-box.

Senate Bill No. 11, in relation to taxation.

Senate Bill No. 50, to provide for the payment of laboring men.

Senate Bill No. 59, to fix the time of holding Court in the Thirty-fourth Judicial Circuit.

Senate Bill No. 213, authorizing municipal corporations to purchase and hold real estate.

Also, House Bill No. 38, in relation to the Soldiers' Orphans' Home.

Also, House Bill No. 225, legalizing the incorporation of Sulphur Springs, Henry county, Indiana.

Also, House Bill No. 231, to amend an act concerning highways.

House Bill No. 239, in relation to the Trustee of Cool Spring, Laporte county, Indiana.

House Bill No. 312, to enable the city of Indianapolis to erect a market house.

House Bill No. 363, an act concerning public offenses.

House Bill No. 369, defining the liabilities of railroads.

House Bill No. 402, defining the Tenth and other Judicial Circuits.

House Bill No. 451, regulating railroad passenger fare.

House Bill No. 484, legalizing certain acts and proceedings of the Board of Trustees of the town of Brownstown, Jackson county, Indiana.

Also, House Concurrent Resolution No. 28, appropriating \$200 to the Pettibone Manufacturing Company.

Also, the House requests the return of House Bill No. 377.

And the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Bailey moved to take up Senate Bill No. 213.

Concurred in.

Senator Bailey moved that the title, as amended by the House, be concurred in.

Carried.

Senator Benz moved to take up the claim of the Grand Hotel for use of the committee rooms during the regular session.

Carried.

House Concurrent Resolution No. 24, in reference to rent of room at Grand Hotel, together with the bill for the same, \$650, was read and concurred in.

House Concurrent Resolution No. 26, in reference to rent of room at Grand Hotel, used by the Knightstown investigating committee, together with the bill for the same, amount \$66, was read and referred to the Knightstown investigating committee.

Senator Weir moved that all absent Senators be granted leave of absence until Monday next.

Carried.

Senator Magee moved that when the Senate adjourn it be until Monday at 10 o'clock.

Carried.

Senator Winter introduced Senate Bill No. 349, entitled:

An act prescribing certain duties of telegraph and telephone companies, prohibiting discrimination between patrons, providing penalties therefor, and declaring an emergency.

Read first time and referred to Committee on Judiciary.

Senator Duncan, of Brown, moved that Senate Bill No. 272 be taken up.

Carried.

Senate Bill No. 272 was read a second time, together with the report of the committee.

Report concurred in and bill ordered engrossed.

Senator Benz asked leave of absence for A. J. Kelly, Secretary, until next Wednesday.

Granted.

Senator Johnson moved to call up Senate Bill No. 324.

Carried.

Senate Bill No. 334 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Education to whom was referred Senate Bill No. 324, have had the same under consideration, and recommend that the bill should pass.

FRANCIS JOHNSON,
Chairman.

Report concurred in and bill ordered engrossed.

Senator Campbell, of Hendricks, moved to take up Senate Bill No. 204.

Carried.

Senate Bill No. 204 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your Committee on Roads and Highways, to whom was referred Senate Bill No. 204, introduced by Senator Campbell, report that we have had the same under consideration, and recommend that said bill do pass.

C. JOHNSTON,
Chairman.

Laid on the table for the present.

Senator Huston called up Senate Bill No. 151, which was read a second time, together with the report of the committee with amendments.

Report concurred in and bill ordered engrossed.

Senator Bailey moved to take up Enrolled House Bill No. 312.

Carried.

Enrolled House Bill No. 312 was read a first time and referred to the Committee on Cities.

Senator Johnson introduced Senate Bill No. 350, entitled :

An act to amend section 1 of an act entitled an act to amend an act entitled an act providing for the appointment of Notaries Public, and defining their powers and duties, approved February 12, 1855.

Read first time and referred to the Committee on Judiciary.

Senator Johnson introduced Senate Bill No. 351, entitled :

"An act to authorize Trustees and Commissioners of common schools to add manual labor instructions to the course of study in such schools in cities of ten thousand and more inhabitants."

Which was read first time and referred to the Committee on Education.

On motion of Senator Weir, Senate Bill No. 258 was read a second time and ordered engrossed.

Senator Duncan of Brown moved that House Bill No. 9 be taken up.

Carried.

House Bill No. 9 was read a first time and referred to Committee on Roads.

Senator Overstreet moved to take up Senate Bill No. 318.

Carried.

Senate Bill No. 318 was read a second time, with report of the committee recommending its passage.

Report concurred in.

On motion of Senator Winter, Senate Bill No. 299 was read a second time with the report of the committee.

Report concurred in.

On motion of Senator Null, House Concurrent Resolution No. 14 was taken up and read a third time.

Concurred in.

On motion of Senator Weir, Senate Bill No. 236 was referred to a special committee of three.

Committee appointed were, Senators Weir, Sellers and Marshall.

Senator Foulke introduced Senate Bill No. 352, entitled :

An act appropriating two hundred and twenty-five (\$225.00) dollars to pay the claim of William H. Schlater.

Read first time and referred to Committee on Claims.

On motion of Senator Weir, Senate Bill No. 295 was read a second time, together with the report of the committee with amendments.

Amendments adopted and bill ordered engrossed.

On motion of Senator Howard, Senate Bill No. 141 was read a second time with committee report.

Committee report was concurred in and the bill was ordered engrossed.

Senator McClure presented the following report :

MR. PRESIDENT:

Your Committee on Benevolent Institutions to whom was referred Senate Bill No. 141, beg leave to report recommending that it do pass.

McCLURE,
Chairman.

Senator Smith of Jay moved to take up House Bill No. 397, and read a first time.

Carried.

Engrossed House Bill No. 397 was read the first time, and referred to Committee on Drainage.

Senator Smith of Jay moved to recommit House Bill No. 397 to Special Committee on Drainage.

Carried.

The following report was made from the Committee on Prisons, on Senate Bill No. 274:

MR. PRESIDENT:

Your Committee on Prisons, to whom was referred Senate Bill No. 274, introduced by Senator Foulke, report that we have had the same under consideration, and recommend that said bill do pass.

HOOVER,
Chairman.

Concurred in.

On motion of Senator Foulke, Senate Bill No. 274 was read a second time with Committee report.

Committee report was concurred in.

Senator Foulke offered the following amendment to Senate Bill No. 274:

Substitute for "6179" after the word "section," line 6 printed bill, the word "18."

Adopted.

Senator Sellers, from the Committee on Phraseology offered the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to whom was referred Senate Bill No. 274, beg leave to recommend that the following be adopted as the title of the same, to-wit:

An act to amend section 18 of an act entitled, an act to establish a female prison and reformatory institution for girls and women, to provide for the organization and government thereof, and making appropriations, approved May 13, 1869, being section 6179 of the Revised Statutes of 1881.

Adopted.

SELLERS,
Chairman.

Senator Bailey called up Senate Bill No. 131.

Senate Bill No. 131, was read a second time with committee report with amendments.

Amendments concurred in and bill ordered engrossed.

Senator Huston moved to take up House Bill No. 486.
Carried.

Engrossed House Bill No. 486, was read first time and referred to the Committee on Agriculture.

Senator Bryant introduced Senate Bill No. 253, entitled:

A bill for an act concerning the removal of drift wood from non-navigable streams.

Read first time and referred to Committee on Township Business.

Senator Campbell, of Hendricks, moved that Senate Bill No. 204 be taken up.

Senator Macy offered the following amendment to Senate Bill No. 204, by adding to said section the following:

Provided, That in no case shall there be a greater sum pro-rated among said stockholders than the appraised price of said toll road after the indebtedness of said company has been taken therefrom as herein provided.

Adopted.

House Bill No. 38 was read first time and referred to the Committee on Benevolent and Reformatory Institutions.

Engrossed House Bill No. 316 was read a first time and referred to Committee on Roads.

Engrossed House Bill No. 101 was read first time and referred to Committee on Roads.

Engrossed House Bill No. 117 was read first time and referred to Committee on Roads.

Engrossed House Bill No. 120 was read first time and referred to the Committee on Education.

Engrossed House Bill No. 170 was read a first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 219 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 220 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 289 was read first time and referred to Committee on Agriculture.

Engrossed House Bill No. 361 was read first time and referred to the Committee on Judiciary, with power to send for persons and papers.

Engrossed House Bill No. 481 was read first time and referred to the Committee on Education.

Engrossed House Bill No. 402 was read and referred to the Committee on Organization of Courts.

Engrossed House Bill No. 239 was read first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 225 was read a first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 281 was read first time and referred to Committee on Roads.

Engrossed House Bill No. 451 was read first time and referred to the Committee on Railroads.

Engrossed House Bill No. 484 was read first time and referred to the Committee on Organization of Courts.

Engrossed House Bill No. 363 was read first time and referred to Committee on Judiciary.

Engrossed House Bill No. 369 was read a first time and referred to the Committee on Railroads.

The President of the Senate announced that he had appointed Montgomery Bemis, of Perry county, and Harry Hathaway, of Marion county, as pages, in the place of Walter Taylor and John Hanna, without prejudice; Hathaway's time to begin next Monday.

Senator Weir moved to reconsider the vote by which it was decided that when the Senate adjourn it be until next Monday at 10 o'clock A. M.

Carried.

On motion of Senator Weir, the Senate adjourned to meet at 10 o'clock to-morrow morning.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING.

MARCH 14, 1885.

Senate met in special session at 10 o'clock, Lieutenant Governor Manson in the chair.

Opened with prayer by Rev. Albert Rondthaler, of Tabernacle Church of Indianapolis.

The journal was read in part, and, on motion of Senator Duncan of Brown, the further reading was dispensed with.

Senator Winter was called to the chair temporarily.

Senator Weir moved that House bills be taken up on second reading.

Concurred in.

Engrossed House Bill No. 6 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

The special committee to whom was referred Engrossed House Bill No. 6 report that they have had the same under consideration, and they recommend that the same be amended by inserting in section 1, after the word "persons," the words "being over the age of fourteen years," and that when so amended the bill do pass.

F. WINTER,
Chairman.

Report of committee concurred in.

Senator Foulke introduced Senate Bill No. 354, entitled:

A bill for an act concerning expert testimony.

Read a first time and referred to the Committee on Judiciary.

Senator Smith of Delaware introduced Senate Bill No. 355, entitled:

An act regulating the dissolution of incorporated towns as school corporations, prescribing the disposition of the property of such school corporations upon dissolution.

Read a first time and referred to the Committee on County and Township Business.

Senator Macy, from special committee, offered the following report:

MR. PRESIDENT:

The undersigned, your special committee to whom was referred House Concurrent Resolutions Nos. 21 and 26, and having had the same under advisement, recommend that No. 21 be amended as follows: That the allowance to Henry R. Fry of \$459.77 be stricken out and the sum of \$184.20 substituted, and

the aggregate amount allowed to witnesses, as per schedule, be increased from \$375.42 to \$395.42, and we further recommend that No. 21 be amended by striking out the amount of \$66 and substituting therefor the sum of \$42, and that when so amended the same do pass.

J. W. MACY,
C. JOHNSON.

Concurred in.

Concurrent Resolution No. 6 was adopted.

Engrossed House Bill No. 124 was read the second time, with report of the committee, as follows:

Senator McCullough, from Committee on Judiciary, offered the following report:

MR. PRESIDENT:

Your Committee on the Judiciary has considered Engrossed House Bill No. 124, a bill to amend section 59 of the civil code, and the committee direct me to report the same back to the Senate with the recommendation that it do pass.

McCULLOUGH,
Chairman.

Concurred in.

Senator Thompson, from the Committee on Cities and Towns, made the following report:

MR. PRESIDENT:

Your Committee on Cities and Towns, to whom was referred Engrossed House Bill No. 130, report that we have had the same under consideration and recommend that said bill do pass.

THOMPSON,
Chairman.

Concurred in.

Engrossed House Bill No. 137 was read the second time, with committee report.

On motion of Senator Fowler, further action on the committee report was postponed, and that it be now printed.

Engrossed House Bill No. 153 was read the second time, with the following report of the committee:

MR. PRESIDENT:

The Committee on Insurance, to whom was referred Engrossed House Bill No. 153, report that they have had said bill under consideration, and recommend that it be amended by striking out of section 1, in line 9, the word "solely," and inserting in lieu thereof the words "or foreign country," and that when so amended the bill do pass.

I. H. FOWLER,
F. WINTER,
A. G. SMITH,
H. J. MAY,
RHAM,
JAMES H. WILLARD,
M. C. SMITH,

Concurred in.

Committee.

Engrossed House Bill No. 180 was read a second time with committee report, recommending that it do pass.

The report of the committee was concurred in.

Senator Weir moved that the vote by which House Bill No. 239 was referred to the Judiciary Committee, be reconsidered.

Adopted.

Engrossed House Bill No. 239 was read a second time, and referred to the Judiciary Committee.

On motion of Senator Foulke the vote on Senate Bill No. 352 was reconsidered, and the bill was read a second time, and referred to the Committee on Claims.

Senator Sellers, from the Committee on Phraseology, etc., submitted the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to which was referred Senate Bill No. 127, begs leave to recommend that the word "meeting" be stricken out of line 3, on page 3 of aforesaid bill, and that the word "session" be inserted in lieu thereof.

SELLERS,
Chairman.

Adopted.

Senator Sellers, from the Committee on Phraseology, etc., made the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to whom was referred Senate Bill No. 305, begs leave to recommend that the word "passage" be stricken out of line 5 of page 2 of said bill, and the words "taken effect" be inserted in lieu thereof.

SELLERS,
Chairman.

Adopted.

Senator Sellers, from the Committee on Phraseology, offered the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to whom was referred Engrossed Senate Bill No. 31, begs leave to return the same with the recommendation that the word "he" be stricken out of line 12, of page 11, of said bill, and the words "the commissioner in charge of such work" be inserted in lieu thereof.

SELLERS,
Chairman.

Adopted.

Senator Foulke introduced the following Concurrent Resolution No. 29:

Resolved by the Senate, the House of Representatives concurring. That the following amendment is proposed and agreed to, to the Constitution of Indiana, viz: Strike from said Constitution section 21, of Article 7 thereof.

FOULKE.

Read a first time and referred to the Committee on the Judiciary.

Senator Smith of Jay submitted the following majority report to Senate Bill No. 337:

MR. PRESIDENT:

The undersigned, a majority of the special committee to whom was referred Senate Bill No. 337, have had the same under consideration, and we return the bill with the recom-

mentation that the same be amended by striking out in line 5, after the word sustained, to and including the word sustain in line 6; also after the word fire, in line 6, the words "or otherwise;" also after the word State, in line 7, the words "or held or detained in the performance of any public duty," and when so amended we recommend that the bill pass.

JOHN M. SMITH,
E. P. RICHARDSON,
ANDREW MARSHALL.

Report of the committee concurred in.

On motion of Senator Bryant, Senate Bill No. 385 was taken up and read a second time with committee reports, and, on motion of Senator Sellers, was referred to the Committee on Judiciary.

Senator Zimmerman moved to take up Senate Bill No. 237 on second reading.

Carried.

Senate Bill No. 237 was taken up and read a second time, with the report of the committee recommending that it do pass.

Report concurred in.

Senator Foulke introduced Senate Bill No. 356, entitled:

A bill for an act relating to insane persons.

Which was read a first time and referred to the Committee on the Judiciary.

Senator Foulke offered the following concurrent resolution:

Resolved by the Senate, the House of Representatives concurring,
That the following amendment is proposed and agreed to to the Constitution of Indiana:

"Strike from said Constitution section 20 of article VII thereof."

Read first time and referred to the Committee on Judiciary.

Senate Joint Resolution No. 9 was taken up and read, with the committee reports.

Report concurred in and resolution ordered engrossed.

Senator Sellers moved that Senate Bill No. 253 be laid on the table.

Carried.

Senator Smith (of Delaware) offered the following motion, viz:

Moved, that the rules of the Senate be spread of record on the Senate journals.

SMITH (of Delaware.)

Adopted.

The following is a true copy of said rules of the Senate, to wit:

FIFTY-FOURTH GENERAL ASSEMBLY OF INDIANA.

RULES AND ORDER OF BUSINESS

FOR THE

Government of the Senate

•

OF THE

STATE OF INDIANA,

ADOPTED AT THE

REGULAR SESSION, 1885,

WITH THE

CONSTITUTION OF THE STATE.

A List of Standing Committees of the House and Senate and
Joint Committees of Both Houses.

INDIANAPOLIS:

WM. B. BURFORD, CONTRACTOR FOR STATE PRINTING.

1885.

OFFICERS.

HON. MAHLON D. MANSON, of Montgomery.

Lieutenant Governor and Ex-Officio President of the Senate.

ALBERT J. KELLEY, of Vigo.

Principal Secretary.

HARRY C. HUFFSTETTER, of Lawrence.

Assistant Secretary.

JOSEPH COPE, of Allen.

Doorkeeper.

Committee Rooms, Bates House.

•

ALPHABETICAL ROLL OF THE SENATE.

WITH POSTOFFICE ADDRESS.

NAME OF THE SENATOR.	POSTOFFICE ADDRESS.	COUNTY OR COUNTIES REPRESENTED.	OCCUPATION.
Adkinson, Lewis D	Peru	Howard and Miami	Insurance, Money Loan'g and Real Estate.
Bailey, Leon O	Indianapolis	Hancock, Marion and Shelby	Lawyer.
Bens, John	Leavenworth	Crawford, Harrison and Orange	Tailor.
Brown, Eli W	Columbia City	Allen and Whitley	Farmer.
Bryant, DeWitt C	Frankfort	Boone and Clinton	Druggist.
Campbell, L. M.	Danville	Hendricks and Putnam,	Lawyer.
Campbell, Marvin	South Bend	Starke and St. Joseph.	Merchant.
Davis, W. J.	Goshen	Elkhart	Lawyer.
Day, John S	New Albany	Floyd and Washington	Manufacturer.
Drake, James S	Lagrange	Lagrange and Noble	Lawyer.
Duncan, Charles C	Sharpsville	Hamilton and Tipton	Teacher.
Duncan, William C	Nashville	Bartholomew, Brown and Monroe	Lawyer.
Easley, Nicholas	Auburn	DeKalb and Steuben	Merchandising and Banking.
Ernest, Joshua	Sullivan	Knox and Sullivan	Merchant.
Faulkner, Chester R	Holton	Franklin and Ripley	Farmer.
Foulke, William J.	Richmond	Wayne	Lawyer.
Frederick, Samuel H	Spencer	Clay and Owen	Attorney.

Hill, James.	Brookburg.	Jefferson.	Farmer.
Hillgass, William J.	Huntington.	Huntington and Wells.	Attorney.
Hoover, Frederick.	Remington.	Benton, Jasper and Newton.	Farmer.
Howard, F. M.	St. Paul.	Decatur and Shelby.	Physician.
Huston, James N.	Connersville.	Fayette, Rush and Union.	Farmer.
Johnson, Francis.	Lafayette.	Tippecanoe.	Retired Miller.
Johnston, Columbus.	Aurora.	Dearborn, Ohio and Switzerland.	Editor.
Lindley, John W.	Rockville.	Parke and Vermillion.	Retired.
Macy, J. W.	Winchester.	Delaware, Henry and Randolph.	Lawyer.
Magee, Rufus.	Logansport.	Cass.	Lawyer.
Marshall, Andrew.	Harveysburg.	Fountain and Warren.	Farmer.
May, Heber J.	Cannelton.	Perry and Spencer.	Lawyer.
Moore, George.	Wabash.	Kosciusko and Wabash.	Farmer.
McClure, David.	Jeffersonville.	Clark and Scott.	Physician.
McCullough, James E.	Princeton.	Gibson and Posey.	Lawyer.
McIntosh, Jacob F.	Newark.	Davies and Greene.	Physician.
Null, Lyeurgus.	New Haven.	Allen.	Physician.
Overstreet, Gabriel.	Franklin.	Johnson and Morgan.	Lawyer.
Peterson, Silas.	Bowers.	Montgomery.	Farmer.
Rahn, William, Jr.	Petersburg.	Vanderburgh.	Merchant.
Richardson, Edward P.	Pike and Warrick.	Pike and Warrick.	Lawyer.
Schlöss, Phillip.	Terre Haute.	Vigo.	Merchant.
Sellers, E. B.	Monticello.	Carroll, Pulaski and White.	Lawyer.
Shively, James S.	Marion.	Grant and Madison.	Physician.
Smith, A. G.	North Vernon.	Jackson and Jennings.	Lawyer.
Smith, John.	Portland.	Adams, Blackford and Jay.	Attorney at Law.
Smith, Marcus S.	Muncie.	Delaware and Randolph.	Farmer.
Thompson, W. C.	Indianapolis.	Marion.	Surgeon and Physician.
Weir, Morgan.	Laporte.	Laporte.	Lawyer.
Willard, James H.	Bedford.	Dubois, Lawrence and Martin.	Lawyer.
Winter, F.	Indianapolis.	Marion.	Lawyer.
Yoeche, Julius W.	Crown Point.	Lake and Porter.	Lawyer.
Zimmerman, Valentine.	Rochester.	Fulton and Marshall.	Dealer in Agricultural Implements.
Ma. President.			Farmer.

STANDING COMMITTEES INDIANA STATE SENATE.

FIFTY-FOURTH REGULAR SESSION.

1.—*On Elections.*

Senators Duncan, Faulkner, Hill, Hoover, Duncan of Hamilton, Drake, and Ensley.

2.—*On Finance.*

Senators Willard, Johnston of Dearborn, Magee, Weir, Overstreet, Smith of Delaware, and Macy.

3.—*On Judiciary.*

Senators McCullough, Weir, Fowler, Smith of Jennings, Foulke, Winter, and Campbell of Hendricks.

4.—*On Organization of Courts.*

Senators Smith of Jay, Richardson, May, Ernest, Smith of Delaware, Drake, and Macy.

5.—*On Education.*

Senators Johnson of Tippecanoe, Duncan of Brown, Willard, Null, Foulke, Duncan of Tipton, Moon, and Schloss.

6.—*On Corporations.*

Senators Null, Bailey, McCullough, Day, Overstreet, Campbell of Hendricks, and Davis.

7.—*On Roads.*

Senators Johnson of Dearborn, May, Peterson, Zimmerman, Moon, Campbell of St. Joseph, and Smith of Delaware.

8.—*On Benevolent and Reformatory Institutions.*

Senators McClure, Howard, Hill, Smith of Jay, Bryant, Campbell of Hendricks, and Drake.

9.—*On Agriculture.*

Senators Hill, Peterson, McClure, Richardson, Shively, Marshall, and Huston.

10.—*On Banks.*

Senators Schloss, Weir, Day, Smith of Jennings, Foulke, Lindley, and Marshall.

11.—*On Public Printing.*

Senators Hilligass, Null, Smith of Jay, Thompson, Adkinson, Campbell of St. Joseph, and Foulke.

12.—*On Public Buildings.*

Senators Rahm, McCullough, Magee, Thompson, Overstreet, Adkinson, Youche, and Foulke.

13.—*On State Prisons.*

Senators Hoover, Faulkner, Null, Benz, Lindley, Campbell of St. Joseph, and Marshall.

14.—*On Swamp Lands and Drains.*

Senators Ernest, Hilligass, Sellers, Magee, Adkinson, Campbell of St. Joseph, and Youche.

15.—*On Fees and Salaries.*

Senators Richardson, McIntosh, Howard, Brown, Moon, Adkinson, and Davis.

16.—*On Claims and Expenditures.*

Senator Weir, Hilligass, Smith of Jennings, Rahm, Overstreet, Campbell of Hendricks, and Youche.

17.—*On Military Affairs.*

Senators Howard, Hilligass, Peterson, Hoover, Marshall, Lindley, and Macy.

18.—*On Phraseology, Titles and Arrangements of Bills and Unfinished Business.*

Senators Sellers, Bailey, Ernest, Zimmerman, Winter, Drake, and Ensley.

19.—*On Federal Relations, Rights and Privileges of the Inhabitants of the State.*

Senators Faulkner, Shively, Bailey, Hoover, Winter, Ensley, and Huston.

20.—*On Temperance.*

Senators Thompson, Johnston of Dearborn, Rahm, May, Johnson of Tippecanoe, Youche, and Davis.

21.—*On County and Township Business.*

Senators McIntosh, Hill, Peterson, Day, Bryant, Moon, and Macy.

22.—*On Public Health and Vital Statistics.*

Senators Bryant, Shively, Howard, Sellers, Johnson of Tippecanoe, Drake, and Ensley.

23.—*On Insurance.*

Senators May, Willard, Smith of Jennings, Fowler, Rahm, Smith of Delaware, and Winter.

24.—*On Railroads.*

Senators Magee, Day, Schloss, Benz, Winter, Lindley, and Overstreet.

25.—*On Mines and Mining.*

Senators Benz, McIntosh, Fowler, Zimmerman, Lindley, Drake, and Duncan of Hamilton.

26.—*On Supervision and Inspection of Journals of the Senate.*

Senators Brown, Bailey, Ernest, Bryant, Huston, Ensley, and Davie.

27.—*On Executive Appointments.*

Senators Shively, Willard, Duncan of Brown, Brown, McClure, Davis, and Macy.

28.—*On Congressional Appointment.*

Senators Day, Richardson, McIntosh, Faulkner, Duncan, Schloss, Johnson of Tippecanoe, Brown, Macy, Winter, Youche, Adkinson, and Davis.

29.—*On Legislative Apportionment.*

Senators Zimmerman, McCullough, Willard, McClure, Johnston of Dearborn, Fowler, Thompson, Smith of Jay, Huston, Marshall, Duncan of Hamilton, Ensley, and Moon.

30.—*On Cities.*

Senators Thompson, Rahm, Null, Bailey, Schloss, Day, and Foulke.

31.—*On Labor and Labor Statistics.*

Senators Bailey, Hilligass, Duncan of Brown, Thompson, Sellers, Ensley, and Moon.

SENATE JOINT STANDING COMMITTEES.

1.—*On Public Buildings.*

Senators Peterson, Smith of Jay, and Campbell of St. Joseph.

2.—*On State Library.*

Senators Smith of Jennings, May and Duncan of Tipton.

3.—*On Canal Fund.*

Senators Bailey, (Chm.,) Hilligass and Moon.

4.—*On Claims.*

Senators Sellers, (Chm.,) Null and Macy.

5.—*On Revision of the Statutes.*

Senators Richardson, Duncan of Brown, May, Foulke and Drake.

6.—*On Woman's Claims.*

Senators Foulke, (Chm.,) Hoover, McIntosh and Adkinson.

7.—*On Enrolled Bills.*

Senators Smith of Jennings, Ernest and Smith of Delaware.

HOUSE STANDING COMMITTEES.

1.—*On Elections.*

Messrs. Smith of Warrick, Garrison, Kellison, McMichael, Floyd, Deem and Townsend.

2.—*On Ways and Means.*

Messrs. McMullen, Gordon, Gooding, Pendleton, Adams, Sayre and Copeland.

3.—*On Judiciary.*

Messrs. Taylor, Moody, Williams, Reeves, Mauck of Harrison, Gordon, Loyd, Brownlee, Engle, Twineham and Jameson.

4.—*On Organization of Courts.*

Messrs. Dittimore, Browning, Patten, Harrell, Mock of Wells, Sears and Lindsay.

5.—*On Banks.*

Messrs. Reeves, Vickrey, Schmidt, Branch, Taylor, McClelland, Mauk of Wayne.

6.—*On Education.*

Messrs. McHenry, Pleasants, Staley, French, Rivers, Passage, Smith of Tippecanoe, Overman and Franklin.

7.—*On Prisons.*

Messrs. Barr, Krueger, Glazebrook, Mauck of Harrison, Fisher, Frazee, Mosier, Haworth, McBroome.

8.—*On Swamp Lands.*

Messrs. Glazebrook, Eley, Vickrey, Passage, Robinson, Helms, Wildman.

9.—*On Military Affairs.*

Messrs. Barney, Smith of Warrick, Medcalf, Hargrave, Helms, Linville, Engle.

10.—*On Claims.*

Messrs. Barnes, Brooks, Butz, Booe, Hanlon, Franklin, Linville.

11.—*On Trust Funds.*

Messrs. Reiter, Donhorst, McGovney, Kellison, Floyd, Best, Carr.

12.—*On Fees and Salaries.*

Messrs. Cory, Donhorst, Cartwright, Crecelius, Best, Wildman, Osborn.

13.—*On Sinking Fund.*

Messrs. Fisher, Eley, Loop, Dale, Medcalf, Wynn, Hopkins.

14.—*On Rights and Privileges of the Inhabitants of the State.*

Messrs. Mock of Wells, Dittemore, Browning, Cory, Smith of Perry, Twineham, Trout.

15.—*On Railroads.*

Messrs. Hanlon, Debs, Toner, Crecelius, Harrell, Hargrave, Boyd, Wynn, Wilson.

16.—*On Manufactures and Commerce.*

Messrs. Schmidt, Toner, Pruitt, McMichael, Floyd, Overman, Lindsay.

17.—*On County and Township Business.*

Messrs. Robertson, Reiter, Loyd, Cartwright, Robinson, Wilson, Smith of Tippecanoe.

18.—*On Agriculture.*

Messrs. Pruitt, Hoban, Shanks, Smith of Perry, Osborn, Deem, Frazee.

19.—*On Benevolent and Scientific Institutions.*

Messrs. Williams, Brooks, Loop, Patten, Trout, Lindsay, Deem.

20.—*On Temperance.*

Messrs. Donhorst, McMullen, Krueger, Murphy, McClelland, Dunn, Trout.

21.—*On Mileage and Accounts.*

Messrs. Crecelius, Rivers, Schley, Barr, Twineham, Engle, Adams.

22.—*On Corporations.*

Messrs. Debs, Pruitt, Browning, Pleasants, Hayden, Haworth, Overman.

23.—*On Canals.*

Messrs. Shanks, Hoban, Robertson, Garrison, Smith of Perry, Brownlee, Osborn.

24.—*On Public Expenditures.*

Messrs. Gooding, Branch, McGovney, Kellison, McHenry, Carr, Lindsay.

25.—*On Federal Relations.*

Messrs. Loyd, Barney, Butz, Dale, McBroome, Townsend, Wilson.

26.—*On Affairs of the City of Indianapolis.*

Messrs. Pendleton, Farrell, Schmidt, Schley, Jameson, Boyd, Fleece.

27.—*On Cities and Towns.*

Messrs. Krueger, Klaas, Hayden, Gordon, Sears, Carr, Akin.

28.—*On Engrossed Bills.*

Messrs. Pleasants, Staley, Debs, Williams, Mosier, Best, Boyd.

29.—*On Roads.*

Messrs. Hayden, Timmons, Bailey, Shanks, Barnes, Linville, Dunn.

30.—*On Statistics and Immigration.*

Messrs. Farrell, McGovney, Timmons, Harrell, Fisher, Wynn, Haworth.

31.—*On Insurance.*

Messrs. Butz, Toner, Murphy, Reiter, Sears, Sayre, Brownlee.

32.—*On Printing.*

Messrs. Schley, Staley, McHenry, McMichael, Moody, Hopkins, Mosier.

33.—*On Reformatory Institutions.*

Messrs. Staley, Mock of Wells, Branch, Farrell, Eley, Fleece, Mauk of Wayne.

34.—*On Drains and Dykes.*

Messrs. Dale, Hoban, Timmons, Glazebrook, Garrison, Dunn, Sayre.

35.—*On Mines and Mining.*

Messrs. Robinson, Bailey, Taylor, Smith of Warrick, Hargrave, Mauk of Wayne, Akin.

36.—*On Apportionments.*

Messrs. Patten, chairman, 2d dist.; French, 1st dist.; Robertson, 3d dist.; Copeland, 4th dist.; Adams, 5th dist.; Townsend, 6th dist.; Pendleton, 7th dist.; Booe, 8th dist.; Vickrey, 9th dist.; McClelland, 10th dist.; Passage, 11th dist.; Moody, 12th dist.; Wilson, 13th dist.

HOUSE JOINT STANDING COMMITTEES.

1.—*On Enrolled Bills.*

Messrs. French, Gooding, Dittemore, Reeves, Copeland, Franklin.

2.—*On State Library.*

Messrs. Brooks, Cartwright, Helms.

3.—*On Public Buildings.*

Messrs. Loop, Murphy, McBroome.

4.—*On Canal Funds.*

Messrs. Bailey, Barney, Smith of Tippecanoe.

5.—*On Phraseology of Bills.*

Messrs. Mauck of Harrison, Booe, Fleece, Barnes, Cory, Jameson, Hopkins.

6.—*On Inspection of Journal.*

The Speaker, Messrs. Pleasants, Barr, Fisher, Akin.

STANDING RULES AND ORDERS

FOR THE

GOVERNMENT OF THE SENATE.

1. The President shall take the chair every day precisely at ten o'clock in the forenoon, and two o'clock in the afternoon, unless the Senate shall, by motion, have adjourned to some other hour appointed by such motion. He shall immediately call the Senators to order; and, on the appearance of two-thirds, shall cause the journal of the preceding day to be read.

2. Nine Senators with the President, or ten in his absence, having chosen a President *pro tem.*, shall be authorized to call a Senate, compel the attendance of absent Senators, make an order for their fine or censure, and may adjourn.

3. The President shall preserve order and decorum, may speak to points of order in preference to Senators, rising to his feet for that purpose; and shall decide questions of order, subject to an appeal to the Senate by any two Senators, on which appeal no Senator shall speak more than once, unless by leave of the Senate.

4. The President shall rise to put a question, but may state it sitting.

5. Questions shall be distinctly put in this form, to wit: "As many as are of the opinion that (as the question may be) say 'Aye,'" and after the affirmative voice is expressed, "as many as are of the contrary opinion, say 'No.'" If the President doubts, or a division be called for, the Senate shall divide; those in the affirmative of the question shall first arise from their seats, and afterward those in the negative.

6. The President shall have a general direction of the Senate Chamber. He shall have the right to name any Senator to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment. He shall have the right to name any Senator to bear messages to the House.

7. The President shall, when the Senate is equally divided, give the casting vote.

8. Thirty one standing committees, not to exceed seven members each, shall be appointed by the Senate, at the commencement of each session, viz:

- 1st. On Elections.
- 2d. On Finance.
- 3d. On Judiciary.
- 4th. On Organization of Courts.
- 5th. On Education.
- 6th. On Corporations.
- 7th. On Roads.
- 8th. On Benevolent and Reformatory Institutions.
- 9th. On Agriculture.
- 10th. On Banks.
- 11th. On Public Printing.
- 12th. On Public Buildings and State Library.
- 13th. On State Prisons.
- 14th. On Swamp Lands and Drains.
- 15th. On Fees and Salaries.
- 16th. On Claims and Expenditures.
- 17th. On Military Affairs.
- 18th. On Phraseology, Arrangement of Bills and Unfinished Business.
- 19th. On Federal Relations, and Rights and Privileges of the Inhabitants of the State.
- 20th. On Temperance.
- 21st. On County and Township Business.
- 22d. On Public Health, Vital and Other Statistics.
- 23d. On Insurance.
- 24th. On Railroads.
- 25th. On Mines, Mining and Manufactures.
- 26th. On Congressional Apportionment, to consist of one member from each Congressional District.

- 27th. On Legislative Apportionment, to consist of one member from each Congressional District.
- 28th. On the Supervision and Inspection of the Journal of the Senate.
- 29th. On Executive Appointments.
- 30th. On Cities.
- 31st. On Labor and Labor Statistics.

9. It shall be the duty of the Committee on Elections to examine and report upon the certificates and other credentials of the Senators returned to serve in the Senate, and take into consideration all petitions, documents and evidence relating to elections, which may be referred to them by the Senate; and each of the other committees shall perform such services, and take into consideration all subjects and matters required of them by the Senate.

10. No committee shall sit during the sitting of the Senate without special leave.

11. All questions relating to the priority of business shall be decided without debate.

12. When any Senator is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat, respectfully address himself to the question under debate, and avoid personality. No Senator shall impeach the motives of any other Senator's vote or argument.

13. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the President shall, or any Senator may, call him to order, in which case, the Senator so called to order shall immediately sit down, unless permitted to explain; and the Senate shall, if appealed to, decide the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the Senator called to order, he shall be at liberty to proceed. If otherwise, and the case require it, he shall be liable to the censure of the Senate.

14. When two or more Senators happen to rise at once, the President shall name who is to speak first.

15. No Senator shall speak more than twice on the same question, without leave of the Senate, nor more than once, until every member choosing to speak shall have spoken.

16. While the President is putting the question, or addressing the Senate, no Senator shall walk across or out of the House, nor when a Senator is speaking shall any entertain private discourse or pass between him and the Chair.

17. No Senator shall be compelled to vote on any question in the event of which he is immediately and particularly interested, or in any case where he was not present when the question was put, but appearing afterward, he may, by permission, have his name called and vote, provided his vote does not change the result.

18. Upon a division and count of the Senate on any question, no Senator without the bar should be counted.

19. Every Senator who shall be in the house when the question is put shall give his vote, unless the Senate for special reasons excuse him. But the question of excusing a Senator shall be decided summarily, without debate.

20. When a motion is made and seconded, it shall be stated by the President; or, being in writing, it shall be handed to the Secretary, and then read aloud before debated.

21. Every motion shall be reduced to writing, if the President or any Senator desire it, indorsed by the Senator introducing it, and the name of the author announced by the Secretary before reading.

22. After a motion is stated by the President, and read, it shall be deemed in the possession of the Senate, but may be withdrawn at any time before decision or amendment.

23. When a question is under debate no motion shall be received but

- 1st. To adjourn;
- 2d. To lie on the table;
- 3d. For the previous question;
- 4th. To postpone indefinitely;
- 5th. To postpone to a day certain;
- 6th. To commit; or,
- 7th. To amend.

Which several motions shall have precedence in the order in which they stand arranged.

24. When a question is postponed indefinitely, the same shall not be acted upon during the session.

25. The previous question shall be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators voting, and until it is decided shall preclude all debate, and the introduction of all further amendments. The main question shall be the first question in order, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote on the subsidiary questions then pending, in their order, and then on the main question.

26. Motions and reports may be committed at the pleasure of the Senate.

27. Any member may call for the division of a question where the sense will admit of it.

28. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

29. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any Senator of the majority to move a reconsideration thereof, on the same or any other day during the session, but such motion can be entertained but once during the session, and when made after the second day, it shall lie over one day before being acted upon.

30. When the reading of a paper is called for, if any objection is made, it shall be decided by a vote of the Senate.

31. The unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference in the orders of the day, and no motion or any other business shall be received without special leave of the Senate until the former is disposed of.

32. If a question pending be lost by adjournment of the Senate and revived on the succeeding day, no Senator who shall have spoken twice on the preceding day shall be permitted again to speak without leave.

33. Petitions, memorials and other papers addressed to the Senate may be presented by the President or by any Senator.

34. A motion to adjourn shall always be in order, except

when the previous question is pending, and shall be decided without debate. The question pending on adjournment shall be resumed on reassembling, unless otherwise ordered by the Senate.

35. It shall be in order for the Committee on Phraseology, Arrangement and Enrollment of Bills to report at any time when no question is before the Senate.

36. Every bill shall be introduced by motion on leave, or by order of the Senate.

37. Every bill shall receive three several readings in the Senate, previous to its passage, and all bills shall be dispatched as they were introduced, unless in case of urgency.

38. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be: "Shall the bill be rejected?" If no opposition is made, or the question to reject is negatived, the bill shall then, if no motion be made to the contrary, be committed to a regular or select committee, or to a Committee of the Whole Senate. If the bill be referred to a Committee of the Whole Senate, the Senate shall determine on what day it shall be considered.

39. A committee to whom a bill shall be referred may report thereon with or without amendments; and the bill, when returned, if this be on a day subsequent to its first reading, shall be on its second reading, and after it has been read, the report of the committee shall be read; the question shall then be on concurring in the report of the committee either with or without amendments; the President shall then state that the bill is ready for amendment or engrossment.

40. Every report of a committee upon a bill, which shall not be considered at the time of making the same, or laid on the table by a vote of the Senate, shall stand upon the general orders with a bill and entered on the Journal.

41. After commitment and report thereof to the Senate, or at any time before its passage, a bill may be recommitted.

42. No amendment, by way of a rider, shall be received to a bill on its third reading.

43. When a bill shall pass it shall be certified by the Secretary, noting at the foot thereof the day of its passage.

44. In forming a Committee of the Whole Senate the President, leaving the chair, shall appoint a Chairman to preside.

45. Upon bills committed to a Committee of the Whole Senate, the bill shall first be read throughout by the Secretary, and then again read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Secretary on a separate paper as the same shall be agreed to by the Committee, and so reported to the Senate; after report, the bill shall again be subject to be debated and amended by clauses, before a question to engross it be taken.

46. All questions, whether in Committee or in the Senate, shall be put in the order in which they are moved, except that in filling up blanks, the largest sum and the longest time shall be put first.

47. No motion or proposition for a tax or charge upon the people shall be discussed the day on which it is made or offered; and every such proposition shall receive its first discussion in a Committee of the Whole Senate.

48. The rules of proceeding in the Senate shall be observed in a Committee of the Whole Senate, so far as they may be applicable, except the rule limiting the time of speaking, but no Senator shall speak twice to any question until every Senator, choosing to speak, shall have spoken.

49. No standing rule or order of the Senate shall be rescinded or changed without one day's notice being given of the motion therefor.

50. No Senator shall absent himself from the service of the Senate, unless he have leave, or be sick and unable to attend.

51. Each officer of the Senate shall take an oath for the true and faithful discharge of the duties of his office, to the best of his knowledge and abilities; and shall be deemed to continue in office until another is chosen.

52. It shall be the duty of the Doorkeeper to attend the Senate during the sittings; execute all its demands and process to him given and directed; give notice of and carry all messages, either public or private, he may be required to carry;

keep the Senate chamber and furniture clean and in due order, and at all times keep good and sufficient fires when the same may be necessary; when requested to call a Senator he shall do so by name, and shall exclude from the cloak-room of the Senate all persons, except the President of the Senate, Senators or persons having business with either and admitted by them, and such person shall remain only so long as they shall be engaged in such business.

53. When a reference is made of any subject to a standing committee, the Senator introducing the same shall be a member of such committee during its deliberation thereon, but shall have no power to vote.

54. The daily order of transacting business shall be as follows, viz.:

1. Reading and correcting the Journal of the preceding day.
2. Introduction of petitions, memorials, and remonstrances.
3. Reports from standing committees.
4. Reports from select committees.
5. Resolutions of the Senate.
6. Joint resolutions. Joint resolutions of the House.
7. Bills; and,
8. Orders of the day.

First. Messages from the House requiring action on the part of the Senate.

Second. Bills on second reading.

Third. Bills on third reading; Bills of the House on *first* reading; Bills of the House on *second* reading; Bills of the House on *third* reading:

Provided, That on Wednesday of each week the daily order of transacting business shall be as follows, viz.:

1. Reading and correcting the Journal of the preceding day.

2. Bills on third reading; Bills of the House on *first* reading; Bills of the House on *second* reading; Bills of the House on *third* reading; and to continue from day to day until that order of business be exhausted.

3. Bills on second reading.

4. Messages from the House requiring action upon the part of the Senate.

5. Introduction of petitions, memorials, and remonstrances.
6. Reports from standing committees.
7. Reports from select committees.
8. Resolutions.
9. Joint resolutions.
10. Bills.

This order of business shall be suspended only upon a two-third vote of the Senators present.

55. After a bill has passed, and not before, the title may be announced.

56. When a bill or joint resolution shall have failed for want of a constitutional majority, but shall have received the vote of the majority of the members present, it shall be subject to be called up in its order, at the instance of any Senator, on any subsequent day, but when it shall have failed to receive the votes of a majority of the members present, it shall only be again called up by a motion to reconsider the previous vote.

57. No smoking will be allowed in the Senate Chamber before, during or after the sittings thereof.

58. The report of committees on conference for the adjustment of differences between the two houses shall be laid over one day before action thereon, unless two-thirds of the members of the Senate present shall otherwise order.

59. Whenever a bill is reported by a committee with the recommendation that it pass, seventy-five copies of said bill shall be forthwith printed, and one copy laid on the desk of each Senator, and no bill shall be read a second time until one day after such distribution, unless the Senate otherwise order. Whenever any such committee report in favor of the passage of a bill with amendments, said bill shall be printed as amended.

60. Hereafter, when the introduction of bills is in order, the list of Senators shall be called alphabetically, and each Senator when his name is called shall be permitted to introduce but one bill each time his name is so called, and the name of no Senator shall be called a second time until the entire list has been called.

JOINT RULES.

FOR CONDUCTING BUSINESS IN THE TWO HOUSES OF THE GENERAL
ASSEMBLY OF THE STATE OF INDIANA.

1. While bills and joint resolutions are on their passage between the two Houses, they shall be on paper, under the signature of their clerks respectively.

2. After a bill or joint resolution shall have passed both Houses, it shall be duly enrolled on paper, and the Clerk of the House where it originated shall indorse upon the back thereof the House in which it originated, under which he shall place his signature.

3. Every bill or joint resolution, after being enrolled, shall be examined by the Joint Committee of Enrolled Bills, consisting of three from the Senate and six from the House, appointed as a Standing Committee for that purpose—one of whom on the part of the Senate and two from the House shall be sufficient to act, who shall compare the same with the engrossed bill, and correct any errors they may discover, so as to make it agree therewith, and make their report forthwith to their respective Houses.

4. Every bill or joint resolution reported to have been duly enrolled shall be signed first by the Speaker of the House of Representatives, who shall send the same to the Senate; then by the President of the Senate; after which it shall be presented by the Joint Committee of Enrolled Bills to the Governor for his approbation and signature; and the said committee shall report to their respective Houses the day of their presentation, which report shall be entered on the Journals of each House.

5. All bills and joint resolutions shall be signed by the Speaker of the House of Representatives and the President of the Senate, in their Houses respectively when in session, which shall be carefully noted on the Journals of each House.

6. When any paper or papers, proper to be acted upon by both Houses, shall come before either, the House before which such paper or papers are laid, shall, after acting thereupon, lay it or them before the other House.

7. In every case of an amendment of a bill agreed to in one House, and dissented to in the other, if either House shall request a conference, and appoint a Committee for that purpose, and the other House shall also appoint a Committee to confer, such Committee shall, at a convenient hour, to be agreed upon by their chairman, meet in the conference chamber, and state to each other verbally or in writing, as either shall choose, the reason of their respective Houses for and against the amendment, and confer freely thereon, and report to each House their proceedings thereon. A Committee of Conference shall consist of two members from each House. After each House shall have adhered to their disagreement, a bill or resolution shall be lost.

8. In all cases where the Sergeant-at-Arms of one House shall, by reason of official engagements, or other cause, be unable to execute the commands or process of the House of which he is an officer, it shall be the duty of the Sergeant-at-Arms of the other House to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

9. The following Standing Committees, on the part of each House, shall be appointed to act as Joint Committees :

A Standing Committee on Enrolled Bills, to consist of six on the part of the House, and three on the part of the Senate.

A Committee on Public Buildings, to consist of three members from each House.

A Committee on State Library, to consist of three members from each House.

A Committee on Canal Fund, to consist of three members from each House.

10. In all elections which require a distinct and separate vote of each House, the voting shall be simultaneous in both Houses. No person shall be deemed to be elected in the proper House, making such separate choice, unless he receives a majority of all the votes given in such House. Each House shall, as soon as a choice shall be made on such separate voting, forthwith communicate the same to the other House, and if it shall appear that the Houses have concurred in their choice of any or either of the persons so voted for, such person or persons shall be deemed and declared duly elected. But if the Houses do not concur in their choice of each and all the officers so to be elected, then, in such case, the two Houses shall, in like manner, forthwith proceed to a second separate choice of the remaining officers so attempted to be elected. But if no concurrence then be had, the two Houses shall, in like manner, proceed to a third separate choice. If the two Houses shall not have concurred in their third separate choice, the two Houses shall proceed to a joint vote *instanter*, for the election of such officer or officers as the two Houses may have failed, for want of concurrence as aforesaid, to elect.

11. In all joint conventions and meetings of the two Houses, it shall be incompetent for either House, or the members thereof, or the joint convention, to engage in the transaction of any business other than that for which they were so specifically assembled.

12. When a message is sent to the Senate, or to the House of Representatives, it shall be announced at the door by the Sergeant-at-Arms, or by the Doorkeeper, and it shall be respectfully communicated to the Chair, by the person by whom sent.

13. Messages shall be sent by such persons as the President of the Senate, or Speaker of the House, may designate for that purpose. •

14. No bill that shall have passed one House, shall be sent for concurrence to the other, on the last two days of the session.

15. When bills which shall have passed one House, are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the House making the order.

16. No spirituous liquors shall be offered for sale, or exhibited within the Capitol, or on the public grounds adjacent thereto.

17. All bills introduced into the General Assembly amending or repealing any previous law of this State, which has been incorporated into the Revised Statutes of 1881, shall contain not only a reference to the proper sections of the act amended or repealed, but also a reference thereto by the number of the section or sections in which the same occur in said Revised Statutes.

CONSTITUTION OF THE STATE OF INDIANA.

PREAMBLE.

To the end that justice be established, public order maintained, and liberty perpetuated: We, the people of the State of Indiana, grateful to Almighty God for the free exercise of the right to choose our own form of government, do ordain this Constitution.

ARTICLE I.

BILL OF RIGHTS.

SECTION 1. We declare that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that all power is inherent in the people; and that all free governments are, and of right ought to be, founded on their authority, and instituted for their peace, safety, and well being. For the advancement of these ends, the people have at all times an indefeasible right to alter and reform their government.

SEC. 2. All men shall be secured in their natural right to worship Almighty God according to the dictates of their own consciences.

SEC. 3. No law shall, in any case whatever, control the free exercise and enjoyment of religious opinions, or interfere with the rights of conscience.

SEC. 4. No preference shall be given, by law, to any creed, religious society or mode of worship; and no man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent.

SEC. 5. No religious test shall be required as a qualification for any office of trust or profit.

SEC. 6. No money shall be drawn from the treasury for the benefit of any religious or theological institution.

SEC. 7. No person shall be rendered incompetent as a witness, in consequence of his opinion on matters of religion.

SEC. 8. The mode of administering an oath or affirmation, shall be such as may be most consistent with, and binding upon, the conscience of the person to whom such oath or affirmation may be administered.

SEC. 9. No law shall be passed restraining the free interchange of thought and opinion, or restricting the right to speak, write, or print freely on any subject whatever; but for the abuse of that right every person shall be responsible.

SEC. 10. In all prosecutions for libel, the truth of the matters alleged to be libelous may be given in justification.

SEC. 11. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable search or seizure shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.

SEC. 12. All courts shall be open; and every man, for injury done to him, in his person, property or reputation, shall have remedy by due course of law. Justice shall be administered freely and without purchase; completely, and without denial; speedily, and without delay.

SEC. 13. In all criminal prosecutions, the accused shall have the right to a public trial, by an impartial jury in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.

SEC. 14. No person shall be put in jeopardy twice for the same offense. No person, in any criminal prosecution, shall be compelled to testify against himself.

SEC. 15. No person arrested, or confined in jail, shall be treated with unnecessary rigor.

SEC. 16. Excessive bail shall not be required. Excessive fines shall not be imposed. Cruel and unusual punishment shall not be inflicted. All penalties shall be proportioned to the nature of the offense.

SEC. 17. Offenses, other than murder or treason, shall be bailable by sufficient sureties. Murder or treason shall not be bailable when the proof is evident, or the presumption strong.

SEC. 18. The penal code shall be founded on the principles of reformation, and not of vindictive justice.

SEC. 19. In all criminal cases whatever, the jury shall have the right to determine the law and the facts.

SEC. 20. In all civil cases the right of trial by jury shall remain inviolate.

SEC. 21. No man's particular services shall be demanded without just compensation. No man's property shall be taken by law without just compensation; nor, except in case of the State, without such compensation first assessed and tendered.

SEC. 22. The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability hereafter contracted; and there shall be no imprisonment for debt, except in case of fraud.

SEC. 23. The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities which, upon the same terms, shall not equally belong to all citizens.

SEC. 24. No *ex post facto* law, or law impairing the obligation of contract, shall ever be passed.

SEC. 25. No law shall be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution.

SEC. 26. The operation of the laws shall never be suspended except by the authority of the General Assembly.

SEC. 27. The privileges of the writ of *habeas corpus* shall not be suspended, except in case of rebellion or invasion, and then only if the public safety demand it.

SEC. 28. Treason against the State shall consist only in levying war against it, and giving aid and comfort to its enemies.

SEC. 29. No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or upon his confession in open court.

SEC. 30. No conviction shall work corruption of blood or forfeiture of estate.

SEC. 31. No law shall restrain any of the inhabitants of the State from assembling together, in a peaceable manner, to consult for their common good; nor from instructing their representatives; nor from applying to the General Assembly for redress of grievances.

SEC. 32. The people shall have a right to bear arms for the defense of themselves and the State.

SEC. 33. The military shall be kept in strict subordination to the civil power.

SEC. 34. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

SEC. 35. The General Assembly shall not grant any title of nobility, nor confer hereditary distinctions.

SEC. 36. Emigration from the State shall not be prohibited.

SEC. 37. There shall be neither slavery nor involuntary servitude, within the State, otherwise than for the punishment of crime, whereof the party shall have been duly convicted. No indenture of any negro or mulatto, made or executed out of the bounds of the State, shall be valid within the State.

ARTICLE II.

SUFFRAGE AND ELECTION.

SECTION 1. All elections shall be free and equal.

SEC. 2. In all elections not otherwise provided for by this Constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months, and in the township sixty days, and in the ward or precinct thirty days immediately pre-

ceding such election; and every male of foreign birth, of the age of twenty-one years and upwards, who shall have resided in the United States one year, and shall have resided in this State during the six months, and in the township sixty days, and in the ward or precinct thirty days, immediately preceding such election, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote in the township or precinct where he may reside, if he shall have been duly registered according to law.

SEC. 3. No soldier, seaman or marine, in the army or navy of the United States, or their allies, shall be deemed to have acquired a residence in this State in consequence of having been stationed within the same; nor shall any such soldier, seaman or marine, have the right to vote.

SEC. 4. No person shall be deemed to have lost his residence in the State by reason of his absence either on business of the State or of the United States.

SEC. 5. [Stricken out by constitutional amendment of March 24, 1881.]

SEC. 6. Every person shall be disqualified from holding office during the term for which he may have been elected, who shall have given or offered a bribe, threat, or reward to procure his election.

SEC. 7. Every person who shall give or accept a challenge to fight a duel, or who shall knowingly carry to another person such challenge, or who shall agree to go out of the State to fight a duel, shall be ineligible to any office of trust or profit.

SEC. 8. The General Assembly shall have power to deprive of the right of suffrage, and to render ineligible any person convicted of an infamous crime.

SEC. 9. No person holding a lucrative office or appointment, under the United States, or under this State, shall be eligible to a seat in the General Assembly; nor shall any person hold more than one lucrative office at the same time, except as in this Constitution expressly permitted: *Provided*, That offices in the militia to which there is attached no annual salary, and the office of Deputy Postmaster, where the compensation does not

exceed ninety dollars per annum, shall not be deemed lucrative: *And provided, also,* That counties containing less than one thousand polls may confer the office of Clerk, Recorder, and Auditor, or any two of said offices, upon the same person.

SEC. 10. No person who may hereafter be a collector or holder of public moneys, shall be eligible to any office of trust or profit until he shall have accounted for and paid over, according to law, all sums for which he may be liable.

SEC. 11. In all cases in which it is provided that an office shall not be filled by the same person more than a certain number of years continuously, an appointment *pro tempore* shall not be reckoned a part of that term.

SEC. 12. In all cases, except treason, felony and breach of the peace, electors shall be free from arrest in going to elections, during their attendance there, and in returning from the same.

SEC. 13. All elections by the people shall be by ballot; and all elections by the General Assembly, or by either branch thereof, shall be *viva voce*.

SEC. 11. All general elections shall be held on the first Tuesday after the first Monday in November; but township elections may be held at such time as may be provided by law: *Provided,* That the General Assembly may provide by law for the election of all judges of courts of general or appellate jurisdiction, by an election to be held for such officers only, at which time no other officer shall be voted for; and shall also provide for the registration of all persons entitled to vote.

ARTICLE III.

DISTRIBUTION OF POWERS.

SECTION 1. The powers of the Government are divided into three separate departments: the Legislative, the Executive (including the Administrative), and the Judicial; and no person charged with official duties under one of these departments shall exercise any of the functions of another except as in this Constitution expressly provided.

ARTICLE IV.

LEGISLATIVE.

SECTION 1. The Legislative authority of the State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives. The style of every law shall be, "Be it enacted by the General Assembly of the State of Indiana;" and no law shall be enacted except by bill.

SEC. 2. The Senate shall not exceed fifty, nor the House of Representatives one hundred members; and they shall be chosen by the electors of the respective counties or districts into which the State may from time to time be divided.

SEC. 3. Senators shall be elected for the term of four years, and Representatives for the term of two years, from the day next after their general election: *Provided, however,* That the Senators elect, at the second meeting of the General Assembly under this Constitution, shall be divided, by lot, into two equal classes, as nearly as may be; and the seats of Senators of the first class shall be vacated at the expiration of two years, and those of the second class at the expiration of four years; so that one-half, as nearly as possible, shall be chosen biennially forever thereafter. And in case of increase in the number of Senators, they shall be so annexed, by lot, to the one or the other of the two classes, as to keep them as nearly equal as practicable.

SEC. 4. The General Assembly shall, at its second session after the adoption of this Constitution, and every sixth year thereafter, cause an enumeration to be made of all the male inhabitants over the age of twenty-one years.

SEC. 5. The number of Senators and Representatives shall, at the session next following each period of making such enumeration, be fixed by law, and apportioned among the several counties, according to the number of male inhabitants above twenty-one years of age in each: *Provided,* That the first and second elections of members of the General Assembly, under this Constitution, shall be according to the apportionment last made by the General Assembly before the adoption of this Constitution.

SEC. 6. A Senatorial or Representative district, where more

than one county shall constitute a district, shall be composed of contiguous counties; and no county, for Senatorial apportionment, shall ever be divided.

SEC. 7. No person shall be a Senator or a Representative, who, at the time of his election, is not a citizen of the United States; nor any one who has not been, for two years next preceding his election, an inhabitant of this State, and for one year next preceding his election, an inhabitant of the county or district whence he may be chosen. Senators shall be at least twenty-five, and Representatives at least twenty-one years of age.

SEC. 8. Senators and Representatives, in all cases except treason, felony and breach of the peace, shall be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and shall not be subject to any civil process during the session of the General Assembly, nor during the fifteen days next before the commencement thereof. For any speech or debate in either House, a member shall not be questioned in any other place.

SEC. 9. The sessions of the General Assembly shall be held biennially, at the capital of the State, commencing on the Thursday next after the first Monday of January, in the year one thousand eight hundred and fifty-three, and on the same day of every second year thereafter, unless a different day or place shall have been appointed by law. But if, in the opinion of the Governor, the public welfare shall require it, he may, at any time, by proclamation, call a special session.

SEC. 10. Each House, when assembled, shall choose its own officers (the President of the Senate excepted), judge the elections, qualifications and returns of its own members, determine its rules of proceeding, and sit upon its own adjournment. But neither House shall, without the consent of the other, adjourn for more than three days, nor to any place other than that in which it may be sitting.

SEC. 11. Two-thirds of each House shall constitute a quorum to do business; but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. A quorum being in attendance, if either House fail to effect an organization within the first five days thereafter, the members

of the House so failing, shall be entitled to no compensation, from the end of the said five days, until an organization shall have been effected.

SEC. 12. Each House shall keep a journal of its proceedings, and publish the same. The yeas and nays, on any question, shall, at the request of any two members, be entered, together with the names of the members demanding the same, on the Journal: *Provided*, That on a motion to adjourn, it shall require one-tenth of the members present to order the yeas and nays.

SEC. 13. The doors of each House, and of Committees of the Whole, shall be kept open, except in such cases as, in the opinion of either House, may require secrecy.

SEC. 14. Either House may punish its members for disorderly behavior, and may, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

SEC. 15. Either House, during its session, may punish, by imprisonment, any person not a member, who shall have been guilty of disrespect to the House, by disorderly or contemptuous behavior in its presence; but such imprisonment shall not at any time exceed twenty-four hours.

SEC. 16. Each House shall have all powers necessary for a branch of the legislative department of a free and independent State.

SEC. 17. Bills may originate in either House, but may be amended or rejected in the other, except that bills for raising revenue shall originate in the House of Representatives.

SEC. 18. Every bill shall be read by sections, on three several days in each House; unless, in case of emergency, two-thirds of the House where such bill may be depending shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with; and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

SEC. 19. Every act shall embrace but one subject, and matters properly connected therewith, which subject shall be expressed in the title. But if any subject shall be embraced in

an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title.

SEC. 20. Every act and joint resolution shall be plainly worded, avoiding, as far as practicable, the use of technical terms.

SEC. 21. No act shall ever be revised or amended by mere reference to its title; but the act revised, or section amended, shall be set forth and published at full length.

SEC. 22. The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say :

Regulating the jurisdiction and duties of justices of the peace and of constables;

For the punishment of crimes and misdemeanors;

Regulating the practice in courts of justice;

Providing for changing the venue in civil and criminal cases;

Granting divorces;

Changing the names of persons;

For laying out, opening and working on, highways, and for the election or appointment of supervisors;

Vacating roads, town plats, streets, alleys and public squares;

Summoning and empaneling grand and petit jurors, and providing for their compensation;

Regulating county and township business;

Regulating the election of county and township officers, and their compensation;

For the assessment and collection of taxes for State, county, township or road purposes;

Providing for supporting common schools, and for the preservation of school funds;

In relation to fees or salaries, except that the laws may be so made as to grade the compensation of officers in proportion to the population and the necessary services required;

In relation to interest on money;

Providing for opening and conducting elections of State, county or township officers, and designating the places of voting;

Providing for the sale of real estate belonging to minors, or other persons laboring under legal disabilities, by executors, administrators, guardians or trustees.

SEC. 23. In all the cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.

SEC. 24. Provisions may be made by general law, for bringing suit against the State, as to all liabilities originating after the adoption of this Constitution; but no special act authorizing such suit to be brought, or making compensation to any person claiming damages against the State, shall ever be passed.

SEC. 25. A majority of all the members elected to each House shall be necessary to pass every bill or joint resolution; and all bills and joint resolutions so passed shall be signed by the presiding officers of the respective Houses.

SEC. 26. Any member of either House shall have the right to protest, and to have his protest, with his reasons for dissent, entered on the journal.

SEC. 27. Every statute shall be a public law, unless otherwise declared in the statute itself.

SEC. 28. No act shall take effect until the same shall have been published and circulated in the several counties of this State, by authority, except in case of emergency; which emergency shall be declared in the preamble or in the body of the law.

SEC. 29. The members of the General Assembly shall receive for their services a compensation, to be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made. No session of the General Assembly, except the first under this Constitution, shall extend beyond the term of sixty-one days, nor any special session beyond the term of forty days.

SEC. 30. No Senator or Representative shall, during the term for which he may have been elected, be eligible to any office, the election to which is vested in the General Assembly, nor shall he be appointed to any civil office of profit, which shall have been created, or the emoluments of which shall have been increased, during such term; but this latter provision shall not be construed to apply to any office elective by the people.

ARTICLE V.

EXECUTIVE.

SECTION 1. The executive powers of the State shall be vested in a Governor. He shall hold his office during four years, and shall not be eligible more than four years in any period of eight years.

SEC. 2. There shall be a Lieutenant Governor, who shall hold his office during four years.

SEC. 3. The Governor and Lieutenant Governor shall be elected at the times and places of choosing members of the General Assembly.

SEC. 4. In voting for Governor and Lieutenant Governor the electors shall designate for whom they vote as Governor, and for whom as Lieutenant Governor. The returns of every election for Governor and Lieutenant Governor, shall be sealed up and transmitted to the seat of government, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both Houses of the General Assembly.

SEC. 5. The persons, respectively, having the highest number of votes for Governor and Lieutenant Governor, shall be elected; but in case two or more persons shall have an equal and the highest number of votes for either office, the General Assembly shall, by joint vote, forthwith proceed to elect one of the said persons Governor or Lieutenant Governor, as the case may be.

SEC. 6. Contested elections for Governor or Lieutenant Governor shall be determined by the General Assembly, in such manner as may be prescribed by law.

SEC. 7. No person shall be eligible to the office of Governor or Lieutenant Governor, who shall not have been five years a citizen of the United States, and also a resident of the State of Indiana during the five years next preceding his election; nor shall any person be eligible to either of the said offices who shall not have attained the age of thirty years.

SEC. 8. No member of Congress, or person holding any office under the United States, or under this State, shall fill the office of Governor or Lieutenant Governor.

SEC. 9. The official term of the Governor or Lieutenant Governor, shall commence on the second Monday of January, in the year one thousand eight hundred and fifty-three; and on the same day every fourth year thereafter.

SEC. 10. In case of the removal of the Governor from office, or of his death, resignation or inability to discharge the duties of the office, the same shall devolve on the Lieutenant Governor; and the General Assembly shall, by law, provide for the case of removal from office, death, resignation or inability, both of the Governor and Lieutenant Governor, declaring what officer then shall act as Governor; and such officer shall act accordingly until the disability be removed or a Governor be elected.

SEC. 11. Whenever the Lieutenant Governor shall act as Governor, or shall be unable to attend as President of the Senate, the Senate shall elect one of its own members as President for the occasion.

SEC. 12. The Governor shall be commander-in-chief of the military and naval forces, and may call out such forces to execute the laws, or to suppress insurrection, or to repel invasion.

SEC. 13. He shall, from time to time, give to the General Assembly information touching the condition of the State, and recommend such measures as he shall judge to be expedient.

SEC. 14. Every bill which shall have passed the General Assembly shall be presented to the Governor; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it shall have originated, which House shall enter the objections at large upon its journals, and proceed to reconsider the bill. If, after such reconsideration, a majority of all the members elected to that House shall agree to pass the bill, it shall be sent, with the Governor's objections, to the other House, by which it shall likewise be reconsidered, and if approved by a majority of all the members elected to that House, it shall be a law. If any bill shall not be returned by the Governor within three days, Sundays excepted, after it shall have been presented to him, it shall be a law without his

signature, unless the general adjournment shall prevent its return, in which case it shall be a law, unless the Governor, within five days next after such adjournment, shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the General Assembly at its next session in like manner as if it had been returned by the Governor. But no bill shall be presented to the Governor within two days next previous to the final adjournment of the General Assembly.

SEC. 15. The Governor shall transact all necessary business with the officers of the Government, and may require any information in writing from the officers of the administrative department, upon any subject relating to the duties of their respective offices.

SEC. 16. He shall take care that the laws be faithfully executed.

SEC. 17. He shall have the power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the General Assembly at its next meeting, when the General Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law, and shall report to the General Assembly at its next meeting, each case of reprieve, commutation or pardon granted, and also the names of all persons in whose favor remissions of fines and forfeitures shall have been made, and the several amounts remitted: *Provided, however,* That the General Assembly, may, by law, constitute a council, to be composed of officers of State, without whose advice and consent the Governor shall not have power to grant pardons, in any case, except such as may, by law, be left to his sole power.

SEC. 18. When, during a recess of the General Assembly, a vacancy shall happen in any office, the appointment to which is vested in the General Assembly, or when, at any time, a vacancy shall have occurred in any other State office, or in the office of Judge of any court, the Governor shall fill such va-

cancy by appointment, which shall expire when a successor shall have been elected and qualified.

SEC. 19. He shall issue writs of election to fill such vacancies as may have occurred in the General Assembly.

SEC. 20. Should the seat of Government become dangerous from disease or a common enemy, he may convene the General Assembly at any other place.

SEC. 21. The Lieutenant Governor shall, by virtue of his office, be President of the Senate; have a right, when in Committee of the Whole, to join in debate, and to vote on all subjects, and, whenever the Senate shall be equally divided, he shall give the casting vote.

SEC. 22. The Governor shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the term for which he shall have been elected.

SEC. 23. The Lieutenant Governor, while he shall act as President of the Senate, shall receive for his services the same compensation as the Speaker of the House of Representatives; and any person acting as Governor shall receive the compensation attached to the office of Governor.

SEC. 24. Neither the Governor nor Lieutenant Governor shall be eligible to any other office during the term for which he shall have been elected.

ARTICLE VI.

ADMINISTRATIVE.

SECTION 1. There shall be elected by the voters of the State, a Secretary, an Auditor, and a Treasurer of State, who shall severally hold their offices for two years. They shall perform such duties as may be enjoined by law; and no person shall be eligible to either of said offices more than four years in any period of six years.

SEC. 2. There shall be elected in each county, by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor. The Clerk, Auditor, and Recorder shall con-

tinue in office four years; and no person shall be eligible to the office of Clerk, Recorder, or Auditor more than eight years in any period of twelve years. The Treasurer, Sheriff, Coroner, and Surveyor shall continue in office two years; and no person shall be eligible to the office of Treasurer or Sheriff more than four years in any period of six years.

SEC. 3. Such other county and township officers as may be necessary shall be elected, or appointed, in such manner as may be prescribed by law.

SEC. 4. No person shall be elected or appointed as a county officer who shall not be an elector of the county; nor any one who shall not have been an inhabitant thereof during one year next preceding his appointment, if the county shall have been so long organized; but if the county shall not have been so long organized, then within the limits of the county or counties out of which the same shall have been taken.

SEC. 5. The Governor, and the Secretary, Auditor, and Treasurer of State shall, severally, reside and keep the public records, books and papers, in any manner relating to the respective offices, at the seat of government.

SEC. 6. All county, township, and town officers shall reside within their respective counties, townships, and towns, and shall keep their respective offices at such places therein, and perform such duties as may be directed by law.

SEC. 7. All State officers shall, for crime, incapacity, or negligence, be liable to be removed from office, either by impeachment, by the House of Representatives to be tried by the Senate, or by a joint resolution of the General Assembly; two-thirds of the members elected to each branch voting, in either case, therefor.

SEC. 8. All State, county, township, and town officers may be impeached, or removed from office, in such manner as may be prescribed by law.

SEC. 9. Vacancies in county, township, and town offices shall be filled in such manner as may be prescribed by law.

SEC. 10. The General Assembly may confer upon the Boards doing county business in the several counties, powers of a local administrative character.

ARTICLE VII.

JUDICIAL.

SECTION 1. The Judicial power of the State shall be vested in a Supreme Court, in Circuit Courts, and in such other Courts as the General Assembly may establish.

SEC. 2. The Supreme Court shall consist of not less than three, nor more than five Judges; a majority of whom shall form a quorum. They shall hold their offices for six years, if they so long behave well.

SEC. 3. The State shall be divided into as many districts as there are Judges of the Supreme Court, and such districts shall be formed of contiguous territory, as nearly equal in population as, without dividing a county, the same can be made. One of said judges shall be elected from each district, and reside therein; but said judge shall be elected by the electors of the State at large.

SEC. 4. The Supreme Court shall have jurisdiction, co-extensive with the limits of the State, in appeals and writs of error, under such regulations and restrictions as may be prescribed by law. It shall also have such original jurisdiction as the General Assembly may confer.

SEC. 5. The Supreme Court shall, upon the decision of every case, give a statement in writing of each question arising in the record of such case, and the decision of the Court thereon.

SEC. 6. The General Assembly shall provide, by law, for the speedy publication of the decisions of the Supreme Court, made under this Constitution, but no judge shall be allowed to report such decision.

SEC. 7. There shall be elected by the voters of the State, a Clerk of the Supreme Court, who shall hold his office four years, and whose duties shall be prescribed by law.

SEC. 8. The Circuit Courts shall each consist of one judge, and shall have such civil and criminal jurisdiction as may be prescribed by law.

SEC. 9. The State shall, from time to time, be divided into judicial circuits, and a judge for each circuit shall be elected by

the voters thereof. He shall reside within the circuit, and shall hold his office for the term of six years, if he so long behave well.

SEC. 10. The General Assembly may provide, by law, that the judge of one circuit may hold the courts of another circuit, in cases of necessity or convenience; and in case of temporary inability of any judge, from sickness or other cause, to hold the courts in his circuit, provision may be made, by law, for holding such courts.

SEC. 11. There shall be elected, in each judicial circuit, by the voters thereof, a prosecuting attorney, who shall hold his office for two years.

SEC. 12. Any judge or prosecuting attorney, who shall have been convicted of corruption or other high crime, may, on information in the name of the State, be removed from office by the Supreme Court, or in such other manner as may be prescribed by law.

SEC. 13. The judges of the Supreme Court and Circuit Courts shall, at stated times, receive a compensation, which shall not be diminished during their continuance in office.

SEC. 14. A competent number of justices of the peace shall be elected by the voters in each township in the several counties. They shall continue in office four years, and their powers and duties shall be prescribed by law.

SEC. 15. All judicial officers shall be conservators of the peace in their respective jurisdictions.

SEC. 16. No person elected to any judicial office shall, during the term for which he shall have been elected, be eligible to any office of trust or profit under the State, other than a judicial office.

SEC. 17. The General Assembly may modify or abolish the Grand Jury system.

SEC. 18. All criminal prosecutions shall be carried on in the name, and by the authority of the State; and the style of all processes shall be, "The State of Indiana."

SEC. 19. Tribunals of conciliation may be established, with such powers and duties as shall be prescribed by law; or the powers and duties of the same may be conferred upon other

courts of justice; but such tribunals or other courts, when sitting as such, shall have no power to render judgment to be obligatory on the parties unless they voluntarily submit their matters of difference and agree to abide the judgment of such tribunal or court.

SEC. 20. The General Assembly, at its first session after the adoption of this Constitution, shall provide for the appointment of three commissioners whose duty it shall be to revise, simplify and abridge the rules, practice, pleadings, and forms of the courts of justice. And they shall provide for abolishing the district forms of action at law now in use; and that justice shall be administered in a uniform mode of pleading, without distinction between law and equity. And the General Assembly may, also, make it the duty of said commissioners to reduce into a systematic code the general statute laws of the State; and said commissioners shall report the result of their labors to the General Assembly, with such recommendations and suggestions, as to the abridgement and amendment, as to said commissioners may seem necessary or proper. Provision shall be made by law for filling vacancies, regulating the tenure of office and the compensation of said commissioners.

SEC. 21. Every person of good moral character, being a voter, shall be entitled to admission to practice law in all courts of justice.

ARTICLE VIII.

EDUCATION.

SECTION 1. Knowledge and learning generally diffused throughout a community, being essential to the preservation of a free government, it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific and agricultural improvement, and to provide by law for a general and uniform system of common schools, wherein tuition shall be without charge, and equally open to all.

SEC. 2. The common school fund shall consist of the congressional township fund, and the lands belonging thereto;

The surplus revenue fund;

The saline fund, and the lands belonging thereto;

The bank tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana;

The fund to be derived from the sale of county seminaries, and the moneys and property heretofore held for such seminaries; from the fines assessed for breaches of the penal laws of the State; and from all forfeitures which may accrue;

All lands and other estate which shall escheat to the State for want of heirs or kindred entitled to the inheritance;

All lands that have been or may hereafter be granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sales thereof, including the proceeds of the sales of the swamp lands granted to the State of Indiana by the act of Congress, of the 28th of September, 1850, after deducting the expense of selecting and draining the same;

Taxes on the property of corporations that may be assessed by the General Assembly for Common School purposes.

SEC. 3. The principal of the Common School Fund shall remain a perpetual fund, which may be increased, but shall never be diminished, and the income thereof shall be inviolably appropriated to the support of Common Schools, and to no other purpose whatever.

SEC. 4. The General Assembly shall invest, in some safe and profitable manner, all such portions of the Common School Fund as have not heretofore been entrusted to the several counties; and shall make provisions, by law, for the distribution, among the several counties, of the interest thereof.

SEC. 5. If any county shall fail to demand its proportion of such interest for Common School purposes, the same shall be reinvested for the benefit of such county.

SEC. 6. The several counties shall be held liable for the preservation of so much of the said fund as may be entrusted to them, and for the payment of the annual interest thereon.

SEC. 7. All trust funds held by the State shall remain inviolate, and be faithfully and exclusively applied to the purposes for which the trust was created.

SEC. 8. The General Assembly shall provide for the election, by the voters of the State, of a State Superintendent of Public Instruction, who shall hold his office for two years, and whose duties and compensation shall be prescribed by law.

ARTICLE IX.

STATE INSTITUTIONS.

SECTION 1. It shall be the duty of the General Assembly to provide by law, for the support of Institutions for the Education of the Deaf and Dumb, and of the Blind; and, also, for the treatment of the Insane.

SEC. 2. The General Assembly shall provide Houses of Refuge for the correction and reformation of juvenile offenders.

SEC. 3. The County Boards shall have power to provide farms as an asylum for those persons who, by reason of age, infirmity, or other misfortune, have claims upon the sympathies and aid of society.

ARTICLE X.

FINANCE.

SECTION 1. The General Assembly shall provide, by law, for a uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious or charitable purposes, as may be specially exempted by law.

SEC. 2. All the revenues derived from the sale of any of the public works belonging to the State, and from the net annual income thereof, and any surplus that may, at any time, remain in the Treasury derived from taxation for general State purposes, after the payment of the ordinary expenses of the government, and of the interest on bonds of the State, other than bank bonds, shall be annually applied, under the direction of the General Assembly, to the payment of the principal of the public debt.

SEC. 3. No money shall be drawn from the Treasury but in pursuance of appropriations made by law.

SEC. 4. An accurate statement of the receipts and expenditures of the public money shall be published with the laws of each regular session of the General Assembly.

SEC. 5. No law shall authorize any debt to be contracted, on behalf of the State, except in the following cases: To meet

casual deficits in the revenue; to pay the interest on the State debt; to repel invasion, suppress insurrection, or, if hostilities be threatened, provide for public defense.

SEC. 6. No county shall subscribe for stock in any incorporated company, unless the same be paid for at the time of such subscription; nor shall any county loan its credit to any incorporated company, nor borrow money for the purpose of taking stock in any such company; nor shall the General Assembly ever, on behalf of the State, assume the debt of any county, city, town or township, nor of any corporation whatever.

SEC. 7. No law or resolution shall ever be passed by the General Assembly of the State of Indiana that shall recognize any liability of this State to pay or redeem any certificate of stocks issued in pursuance of an act entitled "An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," passed January 19, 1846, and an act supplemental to said act passed January 29, 1847, which, by the provisions of the said acts, or either of them, shall be payable exclusively from the proceeds of the canal lands, and the tolls and revenues of the canal in said acts mentioned; and no such certificates or stocks shall ever be paid by this State.

[NOTE.—Agreed to by a majority of the members elected to each of the two houses of the General Assembly, Regular Session of 1871, and referred to the General Assembly to be chosen at the next general election. Agreed to by a majority of the members elected to each house of the General Assembly, Special Session of 1872. Submitted to the electors of the State by an act approved January 28, 1873. Ratified by a majority of the electors, at an election held on the 18th day of February, 1873. Declared a part of the Constitution by proclamation of Thomas A. Hendricks, Governor, dated March 7, 1873.]

ARTICLE XI.

CORPORATIONS.

SECTION 1. The General Assembly shall not have power to establish, or incorporate any bank or banking company, or moneyed institution, for the purpose of issuing bills of credit, or bills payable to order or bearer, except under the conditions prescribed in this Constitution.

SEC. 2. No bank shall be established otherwise than under a general banking law, except as provided in the fourth section of this article.

SEC. 3. If the General Assembly shall enact a general banking law, such law shall provide for the registry and counter-signing, by an officer of State, of all paper credit designed to be circulated as money; and ample collateral security, readily convertible into specie, for the redemption of the same in gold or silver, shall be required; which collateral security shall be under the control of the proper officer or officers of State.

SEC. 4. The General Assembly may also charter a bank with branches, without collateral security, as required in the preceding section.

SEC. 5. If the General Assembly shall establish a bank with branches, the branches shall be mutually responsible for each other's liabilities, upon all paper credit issued as money.

SEC. 6. The stockholders in every bank, or banking company, shall be individually responsible to an amount over and above their stock, equal to their respective shares of stock, for all debts or liabilities of said bank or banking company.

SEC. 7. All bills or notes issued as money, shall be, at all times, redeemable in gold or silver; and no law shall be passed, sanctioning, directly or indirectly, the suspension, by any bank or banking company, of specie payments.

SEC. 8. Holders of bank notes shall be entitled, in case of insolvency, to preference of payment over all other creditors.

SEC. 9. No bank shall receive, directly or indirectly, a greater rate of interest than shall be allowed by law to individuals loaning money.

SEC. 10. Every bank, or banking company, shall be required to cease all banking operations within twenty years from the time of its organization, and promptly thereafter to close its business.

SEC. 11. The General Assembly is not prohibited from investing the Trust Funds in a bank with branches; but in case of such investment, the safety of the same shall be guaranteed by unquestionable security.

SEC. 12. The State shall not be a stockholder in any bank,

after the expiration of the present bank charter; nor shall the credit of the State ever be given, or loaned, in aid of any person, association, or corporation, nor shall the State hereafter become a stockholder in any corporation or association.

SEC. 13. Corporations, other than banking, shall not be created by special act, but may be formed under general laws.

SEC. 14. Dues from corporations, other than banking, shall be secured by such individual liability of the corporators, or other means, as may be prescribed by law.

ARTICLE XII.

MILITIA.

SECTION 1. The militia shall consist of all able-bodied white male persons between the ages of eighteen and forty-five years, except such as may be exempted by the laws of the United States, or of this State; and shall be organized, officered, armed, equipped and trained in such manner as may be provided by law.

SEC. 2. The Governor shall appoint the Adjutant, Quartermaster and Commissary Generals.

SEC. 3. All militia officers shall be commissioned by the Governor, and shall hold their offices not longer than six years.

SEC. 4. The General Assembly shall determine the method of dividing the militia into divisions, brigades, regiments, battalions and companies, and fix the rank of all staff officers.

SEC. 5. The militia may be divided into classes of sedentary and active militia in such manner as shall be prescribed by law.

SEC. 6. No person conscientiously opposed to bearing arms, shall be compelled to do militia duty; but such person shall pay an equivalent for exemption; the amount to be prescribed by law.

ARTICLE XIII.

POLITICAL AND MUNICIPAL CORPORATIONS.

SECTION 1. No political or municipal corporation in this State shall ever become indebted, in any manner or for any purpose, to any amount, in the aggregate, exceeding two per

centum on the value of taxable property within such corporation, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, and all bonds or obligations, in excess of such amount, given by such corporations, shall be void: *Provided*, That in time of war, foreign invasion, or other great public calamity, on petition of a majority of the property owners, in number and value, within the limits of such corporation, the public authorities, in their discretion, may incur obligations necessary for the public protection and defense, to such an amount as may be requested in such petition.

[The original article 13 is stricken out and the amendment of March 24, 1881, inserted in lieu thereof.]

ARTICLE XIV.

BOUNDARIES.

SECTION 1. In order that the boundaries of the State may be known and established, it is hereby ordained and declared, that the State of Indiana is bounded on the east by the meridian line which forms the western boundary of the State of Ohio; on the south by the Ohio river, from the mouth of the Great Miami river to the mouth of the Wabash river; on the west, by a line drawn along the middle of the Wabash river, from its mouth to a point where a due north line, drawn from the town of Vincennes, would last touch the northwestern shore of said Wabash river; and thence by a due north line, until the same shall intersect an east and west line, drawn through a point ten miles north of the southern extreme of Lake Michigan; on the north, by said east and west line, until the same shall intersect the first-mentioned meridian line, which forms the western boundary of the State of Ohio.

SEC. 2. The State of Indiana shall possess jurisdiction, and sovereignty co-extensive with the boundaries declared in the preceding section; and shall have concurrent jurisdiction, in civil and criminal cases, with the State of Kentucky on the Ohio river, and with the State of Illinois on the Wabash river, so far as said rivers form the common boundary between this State and said States respectively.

ARTICLE XV.

MISCELLANEOUS.

SECTION 1. All officers whose appointment is not otherwise provided for in this Constitution, shall be chosen in such manner as now is, or hereafter may be, prescribed by law.

SEC. 2. When the duration of any office is not provided for by this Constitution, it may be declared by law; and if not so declared, such office shall be held during the pleasure of the authority making the appointment. But the General Assembly shall not create any office, the tenure of which shall be longer than four years.

SEC. 3. Whenever it is provided in this Constitution, or in any law which may be hereafter passed, that any officer, other than a member of the General Assembly, shall hold his office for any given term, the same shall be construed to mean that such officer shall hold his office for such term, and until his successor shall have been elected and qualified.

SEC. 4. Every person elected or appointed to any office under this Constitution shall, before entering on the duties thereof, take an oath or affirmation to support the Constitution of this State and of the United States, and also an oath of office.

SEC. 5. There shall be a seal of the State, kept by the Governor for official purposes, which shall be called the Seal of the State of Indiana.

SEC. 6. All commissions shall issue in the name of the State, shall be signed by the Governor, sealed by the State Seal, and attested by the Secretary of State.

SEC. 7. No county shall be reduced to an area less than four hundred square miles; nor shall any county under that area be further reduced.

SEC. 8. No lottery shall be authorized, nor shall the sale of lottery tickets be allowed.

SEC. 9. The following grounds owned by the State in Indianapolis, namely: the State House Square, the Governor's Circle, and so much of out-lot numbered one hundred and forty-seven as lies north of the arm of the Central Canal, shall not be sold or leased.

SEC. 10. It shall be the duty of the General Assembly to provide for the permanent enclosure and preservation of the Tippecanoe Battle Ground.

ARTICLE XVI.

AMENDMENTS.

SECTION 1. Any amendment or amendments to this Constitution may be proposed in either branch of the General Assembly; and if the same shall be agreed to, by a majority of the members elected to each of the two Houses, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered on their journals and referred to the General Assembly to be chosen at the next general election; and, if in the General Assembly so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each House, then it shall be the duty of the General Assembly to submit such amendment or amendments to the electors of the State, and if a majority of said electors shall ratify the same, such amendment or amendments shall become a part of this Constitution.

SEC. 2. If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately; and while such an amendment or amendments which shall have been agreed upon by one General Assembly shall be awaiting the action of a succeeding General Assembly, or of the electors, no additional amendment or amendments shall be proposed.

SCHEDULE.

This Constitution, if adopted, shall take effect on the first day of November, in the year one thousand eight hundred and fifty-one, and shall supersede the Constitution adopted in the year one thousand eight hundred and sixteen. That no inconvenience may arise from the change in the government, it is hereby ordained as follows:

First. All laws now in force, and not inconsistent with this Constitution, shall remain in force until they shall expire or be repealed.

Second. All indictments, prosecutions, suits, pleas, complaints and other proceedings pending in any of the Courts, shall be prosecuted to final judgment and execution; and all appeals, writs of error, certiorari and injunctions shall be carried on in the several Courts, in the same manner as is now provided by law.

Third. All fines, penalties and forfeitures, due, or accruing to the State, or to any county therein, shall inure to the State, or to such county, in the manner prescribed by law. All bonds executed to the State, or to any officer, in his official capacity, shall remain in force, and inure to the use of those concerned.

Fourth. All acts of incorporation for municipal purposes shall continue in force under this Constitution, until such time as the General Assembly shall, in its discretion, modify or repeal the same.

Fifth. The Governor, at the expiration of the present official term, shall continue to act until his successor shall have been sworn into office.

Sixth. There shall be a session of the General Assembly, commencing on the first Monday of December, in the year one thousand eight hundred and fifty-one.

Seventh. Senators now in office and holding over, under the existing Constitution, and such as may be elected at the next general election, and the Representatives then elected, shall continue in office until the first general election under this Constitution.

Eighth. The first general election under this Constitution shall be held in the year one thousand eight hundred and fifty-two.

Ninth. The first election for Governor, Lieutenant Governor, Judges of the Supreme Court and Circuit Courts, Clerk of the Supreme Court, Prosecuting Attorney, Secretary, Auditor and Treasurer of State, and State Superintendent of Public Instruction, under this Constitution, shall be held at the general election in the year one thousand eight hundred and fifty-two; and such of said officers as may be in office when this Constitution shall go into effect, shall continue in their respective offices until their successors shall have been elected and qualified.

Tenth. Every person elected by popular vote, and now in any office which is continued by this Constitution, and every person who shall be so elected to any such office before the taking effect of this Constitution (except as in this Constitution otherwise provided), shall continue in office until the term for which such person has been, or may be, elected, shall expire: *Provided*, That no such person shall continue in office after the taking effect of this Constitution, for a longer period than the term of such office in this Constitution prescribed.

Eleventh. On the taking effect of this Constitution, all officers thereby continued in office shall, before proceeding in the further discharge of their duties, take an oath or affirmation to support this Constitution.

Twelfth. All vacancies that may occur in existing offices prior to the first general election under this Constitution, shall be filled in the manner now prescribed by law.

Thirteenth. At the time of submitting this Constitution to the electors for their approval or disapproval, the article numbered thirteen, in relation to negroes and mulattoes, shall be submitted as a distinct proposition, in the following form: "Exclusion and Colonization of Negroes and Mulattoes," "Aye," or "No." And if a majority of the votes cast shall be in favor of said article, then the same shall form a part of this Constitution, otherwise it shall be void and form no part thereof.

Fourteenth. No article or section of this Constitution shall be submitted as a distinct proposition to a vote of the electors otherwise than as herein provided.

Fifteenth. Whenever a portion of the citizens of the counties of Perry and Spencer shall deem it expedient to form, of the contiguous territory of said counties, a new county, it shall be the duty of those interested in the organization of such new county to lay off the same by proper metes and bounds of equal portions as nearly as practicable, not to exceed one-third of the territory of each of said counties. The proposal to create such new county shall be submitted to the voters of said counties, at a general election, in such manner as shall be prescribed by law. And if a majority of all the votes given at said election shall be in favor of the organization of said new county, it shall be the duty of the General Assembly to organize the same out of the territory thus designated.

Sixteenth. The General Assembly may alter or amend the charter of Clarksville, and make such regulations as may be necessary for carrying into effect the objects contemplated in granting the same, and the funds belonging to said town shall be applied according to the intention of the grantor.

Done in convention, at Indianapolis, the tenth day of February, in the year of our Lord, one thousand eight hundred and fifty-one, and of the independence of the United States the seventy-fifth.

GEORGE WHITFIELD CARR,
President and Delegate from the County of Lawrence.

Attest: WILLIAM H. ENGLISH,
Principal Secretary.

GEORGE L. SITES,
HERMAN G. BARKWELL,
ROBERT M. EVANS,
Assistant Secretaries.

ADDENDA.

The original sections stricken out by the amendments herein inserted, read as follows:

ARTICLE II.

SUFFRAGE AND ELECTION.

SECTION 2. In all elections, not otherwise provided for by this Constitution, every white male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months immediately preceding such election; and every white male, of foreign birth, of the age of twenty-one years and upwards, who shall have resided in the United States one year, and shall have resided in this State during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote in the township or precinct where he may reside.

SEC. 5. No negro or mulatto shall have the right of suffrage.

SEC. 14. All general elections shall be held on the Second Tuesday in October.

ARTICLE IV.

LEGISLATIVE.

SECTION 4. The General Assembly shall, at its second session after the adoption of this Constitution, and every sixth year thereafter, cause an enumeration to be made of all the *white* male inhabitants over the age of twenty-one years.

SEC. 5. The number of Senators and Representatives shall, at the session next following each period of making such enumeration, be fixed by law, and apportioned among the several counties according to the number of *white* male inhabitants above twenty-one years of age in each: *Provided*, That the first and second elections of members of the General Assembly, under this Constitution, shall be according to the apportionment last made by the General Assembly, before the adoption of this Constitution.

SEC. 22. In relation to fees or salaries.

ARTICLE VII.

JUDICIAL.

SECTION 1. The judicial power of the State shall be vested in a Supreme Court, in Circuit Courts, and in such inferior Courts as the General Assembly may establish.

ARTICLE XIII.

NEGROES AND MULATTOES.

SECTION 1. No negro or mulatto shall come into, or settle in, the State, after the adoption of this Constitution.

SEC. 2. All contracts made with any negro or mulatto coming into the State, contrary to the provisions of the foregoing section, shall be void; and any person who shall employ such negro or mulatto, or otherwise encourage him to remain in the State, shall be fined in any sum not less than ten dollars, nor more than five hundred dollars.

SEC. 3. All fines which may be collected for a violation of the provisions of this article, or of any law which may hereafter be passed for the purpose of carrying the same into execution, shall be set apart and appropriated for the colonization of such negroes and mulattoes, and their descendants, as may be in the State at the adoption of this Constitution, and may be willing to emigrate.

SEC. 4. The General Assembly shall pass laws to carry out the provisions of this article.

House Concurrent Resolution No. 25 was read and adopted.

Senator Johnston offered the following resolution:

Resolved, That the chairmen of the various Senate committees, excepting the chairman of the Committee on Enrolled Bills, be authorized to select and appoint two Committee Clerks to do all the clerical work that may be necessary for such committees during the special session.

C. JOHNSTON.

Senator Fowler moved to lay the resolution on the table.

Withdrawn.

Senator McIntosh moved that further action on Resolution No. 2 be postponed until Monday next at 2 P. M.

Carried.

Senator Sellers moved that when the Senate adjourned it be until next Monday at 10 o'clock A. M.

Carried.

House Concurrent Resolution No. 27 was read and referred to the Committee on Claims.

Senator Smith, of Jay, offered a substitute for House Concurrent Resolution No. 29, which is as follows:

MR. PRESIDENT:

I move the following as a substitute:

Resolved by the Senate, the House concurring, That there be a joint committee of five appointed, three on the part of the House and two on the part of the Senate, to draw and report a bill reducing the price of the Revised Statutes of 1881 to \$1.50 per volume.

SMITH, of Jay.

Laid on the table.

Senator Fowler moved to lay the substitute and original motion on the table.

Adopted.

Senator McCullough, from Committee on Judiciary, made the following report:

MR. PRESIDENT:

Your Committee on the Judiciary has had under consideration Engrossed House Bill No. 180, a bill to amend section 240 of the criminal code, the same being section 2150 of the Revised Statutes of 1881, and the committee hereby reports the same back to the Senate and recommends its passage.

McCULLOUGH,
Chairman.

Concurred in.

Senator McCullough offered the following report:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 287, a bill to amend section 116 of an act entitled an act providing for the settlement and distribution of decedents' estates, and the committee direct me to report the same back to you and recommend that it pass.

JAS. E. McCULLOUGH,
Chairman.

Concurred in.

Senator Zimmerman moved that the Senate adjourn.

Carried.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

MARCH 16, 1885.

Senate met in special session at 10 o'clock, Senator Winter in the chair.

Opened with prayer by the Rev. Townsend, of the House of Representatives.

The Journal was read in part, and, on motion of Senator Benz, the further reading was dispensed with.

On motion of Senator Weir, Senator Winter was chosen temporary chairman.

Senator Hoover introduced Senate Bill No. 357, entitled:

An act to amend section 9 of an act entitled an act concerning elections and the contest thereof, approved April 21, 1881, being section 9 of 1881.

Which was read the first time and referred to the Committee on Judiciary.

Senator Adkinson introduced Senate Bill No. 358, entitled:

An act authorizing the Governor and Lieutenant Governor of the State to appoint a Fee and Salary Commission, prescribing the duties of said Commission, for per diem of its members, and certain other matters connected therewith.

Read the first time and referred to the Committee on Fees and Salaries.

House Concurrent Resolution No. 28 was read and referred to the Committee on Claims.

House Concurrent Resolution No. 20 was read and adopted.

House Concurrent Resolution No. 17 was read and adopted.

Senate Bill No. 89 was read the second time, together with the report of the committee recommending the passage of the bill.

On motion, the bill was ordered engrossed.

Senator Foulke introduced Senate Bill No. 359, entitled:

A bill for an act concerning County Commissioners.

Which was read a first time and referred to the Committee on County and Township Business.

On motion of Senator Weir, Senate Bill No. 171 was taken up and referred to the Committee on Phraseology.

Senate Bill No. 103 was read a second time, together with the committee's report thereon, recommending its indefinite postponement.

The bill was laid on the table, temporarily.

Senate Bill No. 148 was read a second time, with the committee's report, which was concurred in.

Senator Foulke moved to reconsider the vote by which the committee's report on Senate Bill No. 148 was concurred in.

Carried.

Senator Ensley offered an amendment to the committee's report.

Senator Campbell, of Hendricks, moved that the further consideration of Senate Bill No. 148, with the reports and amendments be postponed until 2 o'clock to-day, and that it be made a special order for that time.

Adopted.

Senator McCullough, from the Committee on Judiciary, presented the following report:

MR. PRESIDENT:

The undersigned, Chairman of your Committee on the Judiciary, begs leave to report that he has appointed Edward Smith, of Gibson county, Clerk of said committee for the present special session.

J. E. McCULLOUGH,
Chairman.

Report concurred in.

Senator May offered the following resolution:

Resolved, That the Doorkeeper is hereby authorized to retain among the list of his employees a paper-folder, whose pay shall date from the beginning of the special session.

Senator Youche offered the following amendment:

MR. PRESIDENT:

I move to amend as follows: Strike out the word "retain" and in lieu thereof insert the word "appoint," and strike out all after the words "paper folder."

Accepted.

The question being on the resolution as amended, the ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Duncan of Bartholomew, Brown and Monroe, Foulke, Hoover, Johnson, Johnston, Lindley, May, McCullough, Null, Peterson, Rahm, Richardson, Sellers, Smith of Adams, Blackford and Jay, Smith of Delaware and Randolph, Thompson, Weir, Willard, Winter, and Youche. Total, 23.

Those voting in the negative were:

Senators Campbell of Hendricks and Putnam, Day, Duncan of Hamilton and Tipton, Ensley, Ernest, Macy, Marshall, Moon, McClure, McIntosh, Overstreet. Total, 11.

Adopted.

Senator Willard asked leave of absence for Senator Howard until 2 o'clock p. m.

Granted.

Senator Lindley asked leave of absence for Senator Bailey.

Granted.

Senator Sellers asked leave of absence for Senator Zimmerman.

Granted.

Senate Bill No. 171 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Swamp Lands, to whom was referred Senate Bill No. 171, introduced by Senator Howard, have had the same under consideration, and a majority of said committee direct me to report said bill to the Senate, with the recommendation that it do pass.

JOSHUA ERNEST,
Chairman.

Senator Sellers, from the Committee on Phraseology, made the following report on Senate Bill No. 171:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to which was submitted Senate Bill No. 171, beg leave to recommend that the following be adopted as the title of the same: "An act to amend section 9 of an act entitled, an act to enable the owners of lands to drain and reclaim them when the same can not be done without affecting the lands of others, prescribing the powers and duties of County Commissioners, and other officers in the premises, and to provide for the repair and enlargement of such drains and repealing certain acts therein specified, and declaring an emergency, approved April 21, 1881, being section 4293 of the Revised Statutes of 1881.

SELLERS,
Chairman.

Adopted.

Senator Sellers offered the following amendment to Senate Bill No. 171:

MR. PRESIDENT:

I move to amend Senate Bill No. 171, by striking out all of said bill after the words 1881 in line 7 (of the present bill), to line 21 of the same.

Adopted, and bill ordered engrossed.

Senator Willard asked leave of absence for this p. m.

Granted.

Senator Marshall introduced Senate Bill No. 360, entitled :

A bill for an act requiring notaries public to make statement under their signature when their commission expires.

Which was read a first time and referred to the Committee on the Judiciary.

Senator Magee introduced Senate Bill No. 361, entitled :

A bill for an act supplemental to the laws for the incorporation of voluntary associations in the State of Indiana.

Read first time and referred to Committee on Corporations.

Senator Johnson moved to take up Senate Bill No. 324.

Carried.

Senate Bill No. 324 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Benz, Bryant, Campbell of Hendricks and Putnam, Day, Duncan of Hamilton and Tipton, Duncan of Bartholomew, Brown and Monroe, Ensley, Ernest, Foulke, Hoover, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peter-

son, Rahm, Richardson, Sellers, Smith of Adams, Blackford and Jay, Smith of Delaware and Randolph, Thompson, Weir, Willard, Winter, and Youche. Total, 34.

Those voting in the negative, none.

The bill passed.

Title as read was adopted.

Senate Bill No. 122 was read a second time, together with the following majority and minority reports:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 122—a bill to remove the disabilities of married women—and a majority of the committee having reported the bill back to the Senate with the recommendation that it pass, now, therefore, the Senators from the counties of Owen and Laporte would respectfully recommend that said bill do lie on the table.

I. H. FOWLER,

M. H. WEIR.

MR. PRESIDENT:

A majority of the Committee on Judiciary, to whom has been referred Senate Bill No. 122, report said bill with the recommendation that it do pass.

A. G. SMITH,

CAMPBELL, of Hendricks and Putnam,

F. WINTER,

WM. D. FOULKE.

On motion of Senator Foulke, the majority report was concurred in.

Senator Weir moved to make Senate Bill No. 122 a special order for to-morrow at 2 o'clock.

● Carried.

On motion of Senator Weir, the Senate adjourned until 2 o'clock.

AFTERNOON SESSION.

MARCH 16, 1885.

Senate met at 2 o'clock, with Lieutenant-Governor Manson in the chair. •

Senator Winter was granted leave of absence for this afternoon.

Senator Brown was granted leave of absence for this afternoon.

The special order for 2 o'clock P. M. was taken up, the same being Senate Resolution No. 1.

Senator Benz moved to lay the resolution on the table.

Carried.

Senate Bill No. 135 was read a second time.

On motion of Senator Weir the same was laid on the table.

Senate Bill No. 143 was read a second time, with the committee's report thereon, as follows:

MR. PRESIDENT:

Your Committee on the Judiciary have reconsidered Senate Bill No. 143—a bill concerning the sale of real estate for the payment of delinquent taxes, and the committee direct me to report the same back to the Senate with the recommendation that it be amended as follows:

Insert the word "hereafter," between "sale" and "made," in line 4 of section 1. In the same section, immediately after the words "non-payment of taxes," strike out the words, "under this or any former tax law." Strike out "ten per cent.," and in lieu thereof insert "fifteen per cent." In place of "one year" substitute "six months." Strike out all of section 2, and in lieu thereof insert the following:

Sec. 2. All laws and parts of laws in conflict with this act are hereby repealed.

And the committee further recommend that said bill, amended as above, shall pass.

McCULLOUGH,
Chairman.

Report concurred in.

Senator Weir moved to reconsider the vote by which the report of committee was concurred in.

Carried.

Senator Sellers moved to concur in committee report on Senate Bill No. 143.

Senator McCullough offered the following amendment:

MR. PRESIDENT:

I move to amend the report of the Judiciary Committee by striking out of said report the following words: "and in lieu thereof insert the following: Section 2. All laws and parts of laws in conflict with this act are hereby repealed."

Adopted.

Senator Overstreet was called to the chair temporarily.

The question being on concurring in the report of the committee as amended.

The same was concurred in.

On motion of Senator Smith, of Jennings, Senate Bill No. 143, as amended, was ordered engrossed.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, presented the following reports:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 50 with Enrolled Senate Act No. 50, and find the same correctly enrolled.

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 213 with Enrolled Senate Act No. 213, and find the same correctly enrolled.

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 4, 59 and 11 with Enrolled Senate Acts Nos. 4, 59 and 11, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The special order set for 2:30 p. m. was taken up, the same being Senate Bill No. 148.

Senate Bill No. 148 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your Committee on County and Township Business, to whom was referred Senate Bill No. 148, introduced by Senator Ensley, report that we have had the same under consideration and beg leave to submit the following report :

That section 1 of said bill be amended by inserting after the word "Indiana," in line 4, and before the word "are," the following: "Upon petition of the majority of taxpayers of such county." Also, by striking out of the same section all after the word "purpose," in line 8, to wit: "or to borrow and use for such purpose."

That section 2 of said bill be stricken out and section 3 be renumbered as section 2.

And recommend that said bill, when so amended, do pass.

McINTOSH,
Chairman.

Senator Ensley offered the following amendment :

MR. PRESIDENT :

I move the following amendment to the report of the committee on Senate Bill No. 148:

Strike out of lines 2 and 3 the following words: "Upon petition of the majority of taxpayers of such county."

Senator Sellers offered the following substitute to Senator Ensley's amendment :

MR. PRESIDENT :

I move to amend the motion of the Senator from Dekalb by amending the report of committee by inserting after the word "of" and before the word "taxpayers," the word "resident."

Adopted.

Senator Foulke moved that Senate Bill No. 148 be referred to a special committee of three.

Carried.

Committee appointed were Senators Ensley, Sellers and Ernest.

Senator Weir asked leave of absence for Senator Hilligass for an indefinite time.

Granted.

Senate Bill No. 145 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your Committee on Elections beg leave to report that they have had Senate Bill No. 145, introduced by Senator Brown, under consideration, and recommend the following substitute for the whole bill, and recommend the passage of the bill thus substituted for the original.

W. C. DUNCAN,
Chairman.

Report concurred in and bill ordered engrossed.

Senate Bill No. 163 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your Committee on Corporations, to which has been referred Senate Bill No. 163, has had the same under consideration, and recommend said bill do pass.

BAILEY,
Chairman *pro tem*.

Report concurred in and the bill ordered engrossed.

Senate Bill No. 161 was read a second time, together with the following majority and minority reports :

MR. PRESIDENT :

Your Committee on the Judiciary has had under consideration Senate Bill No. 161, a bill prescribing certain duties of County Clerks and Prosecuting Attorneys in relation to sum-

moning witnesses to appear before grand juries, and a majority of your committee hereby report the same back to the Senate with the recommendation that it lie on the table.

McCULLOUGH,
CAMPBELL, of Hendricks,
SMITH, of Jennings,
FOWLER,
WEIR,
WINTER.

MR. PRESIDENT:

Your Committee on Judiciary has had under consideration Senate Bill No. 161, a bill prescribing certain duties of County Clerks and Prosecuting Attorneys in relation to summoning witnesses to appear before grand juries, and a majority of your committee having recommended that the same be laid on the table, now, therefore, the undersigned, members of said committee, by this minority report would respectfully recommend that said bill do pass.

W. D. FOULKE,
I. H. FOWLER.

On motion, the minority report was concurred in and the bill ordered engrossed.

Senate Bill No. 160 was taken up on second reading, and, on motion, further consideration was postponed.

Senate Bill No. 164 was taken up on second reading, and, on motion, further consideration was postponed.

Senate Bill No. 170 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on the Judiciary have had under consideration Senate Bill No. 170: A bill for an act concerning the recording of liens and mortgages on real estate, and the committee instruct me to report the same back to the Senate with the recommendation that it be amended so as to read as follows, and when so amended the bill do pass.

McCULLOUGH,
Chairman.

An act to amend an act entitled: "An act to amend section number sixteen, of an act entitled an act, concerning real

property and the alienation thereof." Approved May 16, 1852, the same being Section 2981, of the Revised Statutes of 1881.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, That an act entitled an act to amend section number sixteen of an act entitled: "An act concerning real property and the alienation thereof, be amended so as to read as follows: Or mortgage of lands, or of any interest therein and every lease for more than three years, shall be recorded in the Recorder's office of the county where such lands shall be situated, and every conveyance, mortgage, or lease not so recorded, shall be fraudulent and void as against any subsequent purchaser, lessee, or mortgagee in good faith and for a valuable consideration whose conveyance mortgage or lease shall be first recorded."

Senator Weir moved to lay the bill with amendments on the table.

Carried.

Senate Bill No. 175 was read a second time, together with the following majority and minority reports of the committee:

MR. PRESIDENT:

The undersigned, a minority of your Committee on Cities to which was referred Senate Bill No. 175, respectfully report that we recommend that the said bill do lie upon the table.

L. S. NULL,
WM. D. FOULKE.

MR. PRESIDENT:

Your Committee on Cities to whom was referred Senate Bill No. 175, introduced by Senator Schloss, report that we have had the same under consideration, and recommend that said bill be so amended that wherever the words "sixteen thousand" occurs in said bill that the same be amended by substituting the words "twelve thousand," and when so amended a majority of your committee recommend that it do pass.

W. CLINTON THOMPSON,
Chairman.

JOHN S. DAY,
PHILLIP SCHLOSS,
LEON O. BAILEY,
WM. RAHM, JR.

Senator Johnson moved to make Senate Bill No. 175, a special order for Thursday next, at 2 o'clock p. m.

Senator Smith, of Jay, moved to lay the bill on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Day, Duncan of Bartholomew, Brown and Monroe, Ernest, Foulke, Hill, McCullough, McIntosh, Null, Peterson, Richardson, Smith of Jackson, and Jennings, Smith of Adams, Blackford and Jay, Weir. Total, 13.

Those voting in the negative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks and Putnam, Duncan of Hamilton and Tipton, Ensley, Faulkner, Fowler, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, Overstreet, Rahm, Sellers, Shively, Smith of Delaware and Randolph, Thompson, Youche and Zimmerman. Total, 27.

So the motion was lost.

Senator McIntosh moved to indefinitely postpone the consideration of Senate Bill No. 175.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Day, Duncan of Brown, Ernest, Foulke, McClure, McIntosh, Null, Peterson, Richardson, Shively and Smith of Jay. Total, 11.

Those voting in the negative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Duncan of Tipton, Ensley, Faulkner, Fowler, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McCullough, Overstreet, Rahm, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir, Youche, Zimmerman. Total, 27.

The motion was lost.

Senator Faulkner moved to adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Faulkner, May, Overstreet, Shively, Smith of Delaware and Randolph, Weir. Total, 7.

Those voting in the negative were:

Senators Adkinson, Bryant, Campbell of Hendricks and Putnam, Day, Duncan of Hamilton and Tipton, Duncan of Bartholomew and Brown and Monroe, Ensley, Ernest, Foulke, Fowlor, Hill, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Peterson, Rahm, Richardson, Sellers, Smith of Jackson and Jennings, Smith of Adams and Blackford and Jay, Youche, Zimmerman. Total, 30.

The motion was lost.

Senator Johnson moved to make Senate Bill No. 175 a special order for next Thursday at 2 o'clock p. m.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Duncan of Hamilton, Ensley, Faulkner, Fowler, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, Overstreet, Sellers, Smith of Delaware, Weir, Zimmerman. Total, 23.

Those voting in the negative were:

Senators Day, Duncan of Brown, Ernest, Foulke, Hill, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Shively, Smith, Smith of Jay, Youche. Total, 15.

The motion was adopted.

Senate Bill No. 172 was read a second time, together with the following majority and minority reports of the committee:

MR. PRESIDENT:

Your Committee on Corporations, to whom was referred Senate Bill No. 172, introduced by Senator Huston, for an act providing the mode in which voluntary associations and private corporations may be dissolved, have had the same under consideration, and a majority of said committee direct me to report the same to the Senate, recommending that it be laid on the table.

L. S. NULL,
Chairman.

MR. PRESIDENT :

We, the minority of the Committee on Corporations, to whom was referred Senate Bill No. 172, introduced by Senator Huston, report that we have had said bill under consideration, and recommend that said bill do pass.

W. J. DAVIS,
LEON O. BAILEY.

On motion the bill was indefinitely postponed.

The President of the Senate announced that he had signed Enrolled Senate Acts Nos. 4, 50, 213, 11, and 59.

Senate Bill No. 173 was read a second time, together with the following majority and minority reports of the committee :

MR. PRESIDENT :

A majority of your Committee on Elections report that said committee have had under consideration Senate Bill No. 173, introduced by Senator Marshall, and recommend that the bill do pass.

F. HOOVER,
Chairman.

C. C. DUNCAN,
J. S. DRAKE,
NICHOLAS ENSLEY,
JAMES HILL.

MR. PRESIDENT :

A minority of your Committee on Elections report that said committee have had under consideration Senate Bill No. 173, introduced by Senator Marshall, and recommend that said bill lie on the table.

W. C. DUNCAN.

On motion the majority report was concurred in.

Senator Smith of Jay moved that Senate Bill No. 173 be re-committed to the Committee on Elections.

Carried.

On motion of Senator Faulkner the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

MARCH 17, 1885.

Senate met in special session at 9:30 o'clock, Lieutenant Governor Manson in the chair.

Opened with prayer by Rev. B. F. Foster.

Journal read in part, and on motion of Senator Hoover the further reading was dispensed with.

On motion of Senator Willard, Senator Schloss was granted leave of absence for an indefinite time.

Senator McIntosh, from Committee on County and Township Business, made the following majority report on Senate Bill No. 359:

MR. PRESIDENT:

A majority of your Committee on County and Township Business, having under consideration Senate Bill No. 359, recommend that said bill be amended by striking out of line 9 on first page the word "twenty-five" and inserting in lieu thereof the word "twenty," and that when so amended the same do pass.

McINTOSH,
Chairman.

Senator Macy, from the Committee on County and Township business, submitted the following minority report:

MR. PRESIDENT:

Your Committee on County and Township business, having had under consideration Senate Bill No. 359, and a majority of said committee having reported in favor of an amendment to said bill, and that when so amended the same do pass.

A minority of said committee recommends that said bill be amended by striking out the word "twenty-five" in line 9, page 1, and inserting in lieu thereof "one hundred," and that when so amended the same do pass.

J. W. MACY.
Geo. Moon.

Senator Smith, of Jay, moved that the whole matter do lie on the table.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Campbell of St. Joseph, Davis, Duncan of Tipton, Duncan of Brown, Ensley, Hoover, Macy, Marshall, Moon, Null, Rahm, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir. Total, 18.

Those voting in the negative were :

Senators Adkinson, Day, Drake, Ernest, Faulkner, Foulke, Fowler, Hill, Lindley, May, McClure, McIntosh, Overstreet, Peterson, Richardson, Sellers, Thompson, Willard, Youche and Zimmerman. Total, 20.

So the motion was lost.

Senator McIntosh moved that the minority report be concurred in.

Senator Foulke moved to amend the minority report by striking out the words "one hundred" and inserting in lieu thereof the word "fifty."

Senator Sellers moved that Senate Bill No. 359, with the reports and amendments be printed and made a special order for next Friday at 2 o'clock.

Lost.

The question being on the adoption of Senator Foulke's amendment.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Day, Duncan of Brown, Ernest, Faulkner, Foulke, Fowler, Hill, Huston, Johnston, Lindley, Magee, May, McCullough, McIntosh, Peterson, Rahm, Richardson, Sellers, Thompson, Weir, Youche, Zimmerman. Total, 24.

Those voting in the negative were :

Senators Benz, Brown, Campbell of St. Joseph, Davis, Duncan of Tipton, Ensley, Hoover, Macy, Moon, McClure, Null, Overstreet, Smith of Jay, Smith of Delaware. Total, 14.

The amendment carried.

Senator Shively asked leave of absence for Senator Willard for to-day.

Granted.

Senator Smith, of Jennings, asked leave of absence for Senator Campbell, of Hendricks.

Granted.

On motion of Senator McIntosh the minority report on Senate Bill No. 359, as amended, was concurred in.

Senator McIntosh moved that Senate Bill No. 359 be engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Day, Ernest, Faulkner, Foulke, Fowler, Hill, Huston, Johnston, Lindley, Marshall, McCullough, McIntosh, Peterson, Rahm, Richardson, Thompson, Youche, Zimmerman. Total, 19.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Hoover, Macy, Moon, McClure, Null, Overstreet, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware and Weir. Total, 20.

So the motion was lost.

Senator Richardson was called to the chair temporarily.

Senator Youche moved that Senate Bill No. 359, with amendments, be printed.

Carried.

Senator Sellers, from the special committee on Senate Bill No. 148, made the following report:

MR. PRESIDENT:

Your Special committee to which was referred Senate Bill No. 148, having had the same under consideration, beg leave

to recommend that the words "resident taxpayers" be stricken out of section 1, and that the word "voters" be inserted in lieu thereof, and that when the same is so amended that it do pass.

NICHOLAS ENSLEY,
Chairman.

Concurred in.

On motion of Senator Sellers, Senate Bill No. 148, was ordered engrossed.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 350, recommending that the same do pass.

On motion the bill was ordered printed.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 355.

On motion the bill was ordered printed.

Senator Campbell of St. Joseph called up Senate Bill No. 164.

Senate Bill No. 164 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

A majority of your Committee on Prisons, to whom was referred Senate Bill No. 164, introduced by Senator Campbell, report that we have had the same under consideration, and report as follows:

That section 1 of said act be amended by striking out, in line 8, the word "eight" and insert in lieu thereof the word "nine."

That sections 3, 4 and 5 be stricken out.

That said bill, when so amended, do pass.

HOOVER,
Chairman.

Senator Youche offered the following amendment to the committee report:

MR. PRESIDENT:

I move to amend the report of the majority of the committee on Senate Bill No. 164 as follows: That all after the en-

acting clause be stricken out and the following inserted: Section 1. That hereafter the exclusive right to manufacture any specific article, or carry on definite line of manufacturing within the prisons in this State, shall not be given as a part of the conditions of any contract *for less than fifty men*, and when any contract is in force in which the exclusive right to manufacture is a part of the conditions of such contract, if other contracts are made for additional numbers of men for the same line of work the exclusive right in such new contracts for additional men shall not extend beyond the time of the expiration of the first said pending contracts.

Adopted.

Senator Campbell, of St. Joseph, offered the following amendment:

Amend section 2 as follows: Whereas an emergency exists for the immediate taking effect of this act, it shall be in force on and after its passage.

Adopted.

On motion, the committee report, as amended, was concurred in and the bill ordered engrossed.

Senator Smith, of Jay, made the following report:

MR. PRESIDENT:

We, the undersigned, chairmen of the first group of Senate committees, hereby appoint Joseph P. Clemens as clerk of said committees.

H. J. MAY,
Insurance.

M. H. WEIR,
Banks.

L. S. NULL,
Corporations.

JNO. M. SMITH,
Courts.

Senator Rahm presented the following report:

MR. PRESIDENT:

We, the undersigned, chairmen of the fourth group of Senate committees, as provided by statute, appoint Jos. L. Reiley as clerk of said committees.

JOHN BENZ,
WM. RAHM, JR.,
JAMES HILL,
V. ZIMMERMAN,
D. C. BRYANT,
FRED. HOOVER,
C. JOHNSTON.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Concurrent Resolutions Nos. 21 and 26, and has appointed Messrs. Mock and Kellison as a conference committee in relation to the same, and asks for a committee on the part of the Senate, and the matters connected therewith are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

The following Senators were appointed as a conference committee on the part of the Senate:

Senators Fowler and Davis.

Senator McIntosh moved that Senate Bill No. 359 be made a special order for next Friday at 2 o'clock P. M.

Carried.

Senator Fowler introduced Senate Bill No. 362, entitled:

An act regulating the transporting of passengers and freight by railroad companies, providing for the appointment of a Railroad Commissioner, and a clerk for such Commissioner, defining their duties, and requiring certain duties to be performed by railroad companies, their agents and servants relative to the building and equipping of railroads, transporting passengers

and freight, and matters incident thereto and properly connected with the business of railroading, and repealing all laws and parts of laws in conflict with the provisions of this act.

Read first time and referred to the Committee on Judiciary.

Senate Bill No. 176 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Senate Bill No. 176, introduced by Senator Smith, of Jennings, have had the same under consideration, and recommend that it do pass.

C. JOHNSTON,
Chairman.

Report concurred in and bill ordered engrossed.

Senate Bill No. 179 was read a second time, together with the following report of the Finance Committee:

MR. PRESIDENT:

Your Committee on Finance, to which was referred Senate Bill No. 179, introduced by Senator Smith, of Jay, report the same back with the recommendation that the same do pass.

WILLARD,
Chairman.

Senator Foulke moved to lay the committee report on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell, of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Huston, Johnston, Johnson, Lindley, Macy, May, Overstreet, Richardson, Smith of Jay, Smith of Delaware, Thompson. Total, 23.

Those voting in the negative were:

Senators Benz, Bryant, Hoover, Moon, McClure, McCullough, McIntosh, Null, Peterson, Sellers, Shively, Smith of Jackson and Jennings, and Zimmerman. Total, 13.

The motion carried.

Senator Smith, of Jay, moved to reconsider the vote by which the committee report on Senate Bill No. 179 was laid on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bryant, Ernest, Faulkner, Hoover, Marshall, Moon, McClure, McCullough, McIntosh, Null, Peterson, Shively, Smith of Jennings, Smith of Jay, Zimmerman. Total, 15.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Johnston, Lindley, Macy, May, Overstreet, Richardson, Thompson, Winter. Total, 21.

So the motion was lost.

Senator Smith, of Jennings asked leave of absence for Michael Walch, Reading Clerk of the Senate, the Irish orator, for the afternoon, so that he may take his pot of green paint and attend the St. Patrick day festivities.

Granted.

Senator Fowler moved that the Senate adjourn.

Motion carried.

AFTERNOON SESSION.

MARCH 17, 1885.

Senate met at 2 o'clock, Lieutenant-Governor Manson in the chair.

Senate Bill No. 122, being the special order for this hour, the same was taken up on second reading.

Senate Bill No. 122 was read a second time.

Senator Youche offered the following amendment:

MR. PRESIDENT :

I move to amend Senate Bill No. 122 by striking out all of section 1 after the words "unmarried woman," in line 3 of printed bill.

Adopted.

Senator Foulke moved to amend Senate Bill No. 122 by adding to section 1 the following:

Provided, That whenever any real estate shall be conveyed or otherwise transferred by a wife during marriage, and the husband shall not join in the conveyance or transfer, said husband shall be entitled, upon the death of the wife, he surviving her, to the same interest therein as she, under the same circumstances, would receive in his real estate upon his death. .

Adopted.

Senator Sellers offered the following amendment to Senate Bill No. 122 :

MR. PRESIDENT :

I move to amend Senate Bill No. 122 by adding to section 1 the following proviso, to wit: "*Provided*, That no married woman shall become surety for her husband or other person."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Campbell of Starke and St. Joseph, Drake, Duncan of Bartholomew, Brown and Monroe, Ensley, Ernest, Fowler, Johnston, May, Rahm, Richardson, Sellers, Shively, Smith of Adams, Blackford and Jay, Thompson, Weir and Zimmerman. Total, 18.

Those voting in the negative were:

Senators Adkinson, Benz, Davis, Day, Duncan of Hamilton and Tipton, Foulke, Hill, Hoover, Huston, Johnson, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Smith of Jackson and Jennings, Smith of Delaware and Randolph, and Youche. Total, 23.

So the amendment was lost.

Senator Youche offered the following amendment to Senate Bill No. 122:

Provided, That where a married woman joins with her husband in a deed with covenants of warranty to convey his land, she receiving no part of the purchase money, she shall never be made liable to pay any damages for any breach of such covenants.

Senator Smith, of Jay, moved to lay Senator Youche's amendment on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Campbell of St. Joseph, Drake, Duncan of Brown, Fowler, Johnston, May, Peterson, Richardson, Sellers, Shively, Smith of Jay, Smith of Delaware, Weir and Zimmerman. Total, 17.

Those voting in the negative were:

Senators Adkinson, Benz, Davis, Day, Duncan of Tipton, Ensley, Ernest, Foulke, Hill, Hoover, Huston, Johnson, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Smith of Jennings, Thompson and Youche. Total, 25.

So the motion was lost.

Senator Davis offered the following amendment to Senate Bill No. 122:

MR. PRESIDENT:

I move the following amendment: *Provided*, That a married woman shall have no power to convey her land except by deed, or incumber the same except by mortgage, in which her husband shall join, except when otherwise provided by law.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Campbell of Starke and St. Joseph, Davis, Drake, Ensley, Ernest, Fowler, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Adams and Blackford and Jay, Wier, Zimmerman. Total, 16.

Those voting in the negative were:

Senators Adkinson, Benz, Day, Duncan of Hamilton and Tipton, Faulkner, Foulke, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Smith of Jackson and Jennings, Smith of Delaware and Randolph, Thompson, and Youche. Total, 25.

The amendment was lost.

The question being on the adoption of Senator Youche's amendment.

The same was adopted.

Senator Foulke moved that Senate Bill No. 122, be engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Duncan of Tipton, Ensley, Foulke, Hill, Hoover, Huston, Johnson, Lindley, Macy Marshall, Moon, McClure, McCullough, McIntosh, Overstreet, Smith of Jennings, Smith of Delaware, Thompson, Youche. Total, 22.

Those voting in the negative were:

Senators Brown, Campbell of St. Joseph, Davis, Day Drake, Duncan of Brown, Ernest, Faulkner, Fowler, Howard, Johnston, Null, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jay, Weir, Zimmerman. Total, 20.

The motion carried.

Senate Bill No. 187 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Towns and Townships to which was referred Senate Bill No. 187, request me to report that they have had the same under consideration and that the following bill be substituted in lieu thereof, and that said substitute herein recommended do pass.

McINTOSH,
Chairman.

An act authorizing, empowering and directing Boards of County Commissioners to allow funds for the proper burial of ex-Union soldiers and marines, who shall hereafter die in indigent circumstances within their respective counties.

Section 1. *Be it enacted by the General Assembly of the State of Indiana,* That from and after the passage of this act the Boards of County Commissioners of the several counties of this State, are hereby authorized and empowered upon satisfactory proof being made, to allow the friends or family of any ex-Union soldier or marine who shall die in indigent circumstances within their respective counties, an amount not to exceed fifty (\$50) dollars for the proper burial of such deceased person.

Report concurred in and bill ordered engrossed.

Senate Bill No. 188 was read a second time with the report of the committee.

Report concurred in and on motion, the bill was laid on the table.

Senate Bill No. 193 was read a second time, together with the report of the committee.

On motion the same was laid on the table.

Senate Bill No. 195 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on the Judiciary has had under consideration Senate Bill No. 195, a bill for the apprehension and detection of horse thieves, and the Committee directs me to report the same back to the Senate, with the recommendation that it do pass.

McCULLOUGH,
Chairman.

Report concurred in and bill ordered engrossed.

Senate Bill No. 199 was read a second time, together with the following report of the Committee:

MR. PRESIDENT :

Your Committee on County and Township business, to whom was referred Senate Bill No. 199, introduced by Senator McIntosh, report that the Committee have had the same under consideration, and recommend that said bill do pass.

McINTOSH,
Chairman.

Report concurred in and bill ordered engrossed.

Senate Bill No. 190 was read a second time, together with the following majority and minority reports of the Committee:

MR. PRESIDENT :

We, the Committee on Temperance, to whom was referred Senate Bill No. 190, introduced by Senator Foulke, beg leave to report that we have had the same under due consideration, and a majority of said Committee being of the opinion that the present law covers the necessary points, recommend that the bill be indefinitely postponed.

W. CLINTON THOMPSON,
Chairman.

MR. PRESIDENT :

We, the minority of the Committee on Temperance, to whom was referred Senate Bill No. 190, respectfully report that we have had said bill under careful consideration, and are of the opinion that said bill contains a prudent and essential feature regulating the sale of intoxicating liquors not covered by the present law, and we therefore recommend that the bill do pass.

W. J. DAVIS,
J. W. YOCHE.

Senator Brown moved the adoption of the majority report.

Senator Yoche moved to amend by substituting the minority for the majority report.

Senator Smith of Jay moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Duncan of Bartholomew Brown and Monroe, Ernest, Faulkner, Fowler, Hill, Howard, Johnson, Johnston, May, McClure, McCullough, McIntosh, Peterson,

Rahm, Richardson, Sellers, Smith of Jackson and Jennings, Smith of Adams, Blackford and Jay, Thompson, Weir and Zimmerman. Total, 23.

Those voting in the negative were :

Senators Adkinson, Campbell of Starke and St. Joseph, Davis, Day, Drake, Duncan of Hamilton and Tipton, Foulke, Hoover, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Shively, Smith of Delaware and Randolph, Youche. Total, 18.

Carried.

Senator Smith, of Jay, from the Committee on Organization of Courts, presented the following report :

MR. PRESIDENT :

Your Committee on Organization of Courts have had under consideration House Bill No. 484, and a majority of the committee direct me to return the bill with the recommendation that it do pass.

SMITH of Jay.

Report concurred in.

Senator Smith, of Jennings, moved to suspend the rules and read House Bill No. 484 a second time by title, a third time by sections and put it upon its passage.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph and Starke, Davis, Day, Drake, Duncan of Hamilton and Tipton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jackson, Smith of Jay, Smith of Delaware, Thompson, Weir, Youche, Zimmerman. Total, 40.

None voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 484 was read a second time by title, a third time by sections and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Youche, Zimmerman. Total, 41.

None voting in the negative.

So the bill passed.

Title as read adopted.

Senator Weir asked unanimous consent to take up Senate Bill No. 258.

Granted.

Engrossed Senate Bill No. 258 was read a third time.

The question being, Shall the bill pass ?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jackson, Smith of Jay, Smith of Delaware, Thompson, Weir, Youche, Zimmerman. Total, 40.

No one voting in the negative.

The bill passed.

The title as read was adopted.

On motion of Senator Adkinson Senate Bill No. 326 was taken up, and the committee report was read, and the motion to concur in the report was lost.

Senator Zimmerman moved to lay Senate Bill No. 326 on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Campbell of St. Joseph, Day, Duncan of Brown, Hill, Johnson, Johnston, May, Null, Rahm, Richardson, Zimmerman. Total, 13.

Those voting in the negative were:

Senator Adkinson, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Foulke, Fowler, Hoover, Howard, Huston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Sellers, Shively, Smith of Jackson, Smith of Delaware, Thompson, Weir, Youche. Total, 27.

The motion was lost.

Senator Fowler moved that Senate Bill No. 326 be referred to a special committee of three, with instructions to amend.

Carried.

The committee appointed were Senators May, Overstreet and Adkinson.

Senator Overstreet moved to take up Senate Bill No. 127.

Carried.

Engrossed Senate Bill No. 127 was read the third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Huston, Macy, Moon, Overstreet, Sellers, Shively, Youche, Zimmerman. Total, 15.

Those voting in the negative were:

Senators Bryant, Davis, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hoover, Johnston, Lindley, Marshall, May, McClure, McCullough, McIntosh, Null, Peterson, Richardson, Smith of Jackson, Smith of Jay, Smith of Delaware, Thompson. Total, 21.

So the bill failed to pass.

Senator Foulke moved to take Senate Bill No. 190 from the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Hoover, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Shively, Smith of Jennings, Smith of Jay, Youche. Total, 21.

Those voting in the negative were:

Senators Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Johnston, May, McClure, McCullough, Rahm, Richardson, Sellers, Thompson and Zimmerman. Total, 16.

Carried.

The question being on substituting the minority for the majority report on Senate Bill No. 190.

Senator Smith, of Jennings, moved to recommit the bill to the Committee on Temperance.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Johnson, May, McClure, Null, Rahm, Sellers, Smith of Jennings, Smith of Jay. Total, 14.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Hoover, Huston, Lindley, Macy, Marshall, Moon, McCullough, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Delaware, Thompson, Youche and Zimmerman. Total, 25.

So the motion was lost.

Senator Smith, of Jennings, moved to make Senate Bill No. 190 a special order for Friday at 10 o'clock.

Lost.

Senator Faulkner moved to adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Ernest, Faulkner, May, McClure, Null, Rahm, Smith of Jennings, Smith of Jay, and Zimmerman. Total, 10.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hoover, Huston, Lindley, Macy, Marshall, Moon, McCullough, McIntosh, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Delaware, Thompson and Youche. Total, 27.

So the motion was lost.

Senator Faulkner moved to indefinitely postpone the consideration of Senate Bill No. 190.

The ayes and noes being demanded and called resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Johnston, May, McClure, McCullough, McIntosh, Null, Rahm, Richardson, Sellers, Smith of Jennings, Smith of Jay, Thompson and Zimmerman. Total, 19.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Hoover, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Shively, Smith of Delaware, Winter and Youche. Total, 22.

So the motion was lost.

Senator Smith, of Jay moved to strike out the enacting clause.

Senator Youche moved the previous question.

Seconded.

The main question was then put.

The question being on Senator Smith's (of Jay) motion to strike out the enacting clause.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Ernest, Faulkner, Fowler, Johnston, McClure, McCullough, McIntosh, Null, Rahm, Richardson, Sellers, Smith of Jennings, Smith of Jay, Thompson and Zimmerman. Total, 17.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Foulke, Hill, Hoover, Huston, Lindley, Macy, Marshall, May, Moon, Overstreet, Peterson, Shively, Smith of Delaware, Winter and Youche. Total, 23.

So the motion was lost.

The question recurring on the motion to substitute the minority for the majority report.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Hoover, Huston, Lindley, Macy, Marshall, May, Moon, Overstreet, Peterson, Shively, Smith of Delaware, Winter, Youche. Total, 22.

Those voting in the negative were:

Senators Duncan of Brown, Ernest, Fowler, Johnston, McClure, McCullough, McIntosh, Rahm, Richardson, Sellers, Smith of Jennings, Thompson, Winter, and Yonche. Total, 13.

So the motion carried.

On motion, the minority report was concurred in.

Senator Foulke moved that Senate Bill No. 190 be engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Hill, Hoover, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Rahm, Shively, Smith of Delaware, Winter and Youche. Total, 23.

Those voting in the negative were:

Senators Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Johnston, May, McClure, McCullough, McIntosh, Null, Richardson, Sellers, Smith of Jay, Thompson and Zimmerman. Total, 16.

So the motion was carried.

Senator Youche moved that the regular order be dispensed with, so that he could offer a resolution.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Foulke, Fowler, Huston, Lindley, Macy, Marshall, Moon, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Sellers, Smith of Delaware, Thompson, Winter and Youche. Total, 25.

Those voting in the negative were:

Senators Brown, Bryant, Faulkner, Hoover, Johnson, May, McClure, Null, Shively, Smith of Jay, and Zimmerman. Total, 11.

So the motion carried.

Senator Youche offered the following concurrent resolution:

Resolved by the Senate, the House of Representatives concurring,
That the present special session of this General Assembly shall not extend beyond April 6, 1885.

Senator McCullough offered the following amendment:

MR. PRESIDENT:

I move to amend the resolution by inserting therein, in lieu of the words "6th of April," the words "the 25th of March."

Adopted.

Senator Smith, of Jay, moved to adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Brown, Bryant, Davis, Duncan of Brown, Ernest, Faulkner, Fowler, Johnston, May, Null, Peterson, Rahm, Richardson, Shively, Smith of Jay, Smith of Delaware, Thompson. Total, 18.

Those voting in the negative were :

Senators Adkinson, Campbell of St. Joseph, Drake, Duncan of Hamilton, Ensley, Foulke, Hoover, Huston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Overstreet, Sellers, Winter, Youche. Total, 19.

So the motion was lost.

The question being on Senator Youche's resolution.

The roll was called.

There being no quorum present, on motion of Senator May, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

MARCH 18, 1885.

The Senate met in special session, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Staley, of the House of Representatives.

The Journal was read in part, and, on motion of Senator Shively, the further reading was dispensed with.

Senator Benz moved the call of the Senate.

Carried.

The roll was called, there not being a quorum present.

Senator Benz moved that the doors of the Senate be closed and the absentees be sent for by the Sergeant-at-Arms.

Carried.

Senator Shively was called to the chair.

Senator Benz moved that the further call of the House be dispensed with and the absentees be given an opportunity to make their excuses.

Senator Smith, of Jay, moved to amend and have the roll call discontinued.

Carried.

Senator Campbell, of St. Joseph, moved that all absentees be unanimously excused.

Carried.

Senator Smith, of Jay, submitted the following notice:

MR. PRESIDENT:

I hereby give notice that on to-morrow I will move to amend rule one as follows:

The Senate shall meet promptly at 10 o'clock A. M. and 2 o'clock P. M. of each day, unless the Senate shall otherwise order.

Senator Lindley introduced Senate Bill No. 363, entitled:

A bill to amend section 1 of an act entitled an act authorizing allowances in aid of agricultural associations, approved March 3, 1878, the same being section 5805 of the Revised Statutes of 1881.

Read first time and referred to Committee on Agriculture.

Senator Macy introduced Senate Bill No. 364, entitled:

A bill for an act fixing the time for holding courts in the 25th, 28th and 46th Judicial Circuits, and the length of terms

thereof, and regulating other matters connected therewith, repealing all laws inconsistent with this act, and declaring an emergency.

Senator Smith, of Jay, moved to suspend constitutional rules and read Senate Bill No. 364 a second time, be considered engrossed, read a third time and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Smith of Jay, Smith of Delaware, Weir, and Zimmerman. Total, 34.

No one voting in the negative.

So the rule was suspended.

Senate Bill No. 364 was read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Smith of Delaware, Weir, Youche, and Zimmerman. Total, 37.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Senator McCullough, from the Committee on the Judiciary, made a report on Senate Bill No. 360, recommending that the bill do lie on the table.

Senator McCullough, from the same committee, made a report on Senate Bill No. 339, recommending that the same do pass.

Senator McCullough, from the same committee, made reports on Senate Bills Nos. 257 and 354, and on House Bill No. 220, recommending that they do lie on the table.

Senator McCullough, from the Judiciary Committee, made a report on Senate Concurrent Resolution No. 29, recommending that it do pass.

Senator McCullough, from the Committee on the Judiciary, made a report on Senate Bill No. 335, recommending that it be indefinitely postponed.

Senator McCullough, from the Committee on the Judiciary, made reports on Engrossed House Bill No. 209, the majority report recommending that the same do pass, and the minority report recommending that it lie on the table.

Senator McClure, from the Committee on Benevolent and Reformatory Institutions, made a report on Engrossed House Bill No. 38, recommending that the same do pass.

Senator Richardson, from the Committee on Fees and Salaries, made a report on Senate Bill No. 358, recommending that the same do pass.

Senator Thompson, from the Committee on Cities and Towns, made a report on Engrossed House Bill No. 225, recommending that the same do pass.

Concurred in.

Senator Faulkner, from the Committee on Federal Relations, made a report on Senate Bill No. 242, recommending that the same do pass.

Not to be printed.

Senator Bryant, from the Committee on Public Health, made a report on Senate Bill No. 317, recommending that it lie on the table.

Senator Sellers moved that Senate Bill No. 199 be referred to the Committee on the Judiciary.

Senator McCullough moved that the bill be referred to a committee of one, to consist of the author of the bill.

Carried.

Senator Thompson moved that Senate Bill No. 334 be taken from the table.

Concurred in.

Bill was read for information of the Senate.

Senator Weir moved that the bill be referred to a special committee of three (3).

Carried.

The President appointed the following as such committee: Senators Overstreet, Smith of Delaware, and McIntosh.

Senator Sellers, from Committee on Phraseology, made report on Engrossed Senate Bill No. 141 and recommend that it be amended, and that when so amended, that the same do pass.

Report concurred in.

Senator Sellers, from Committee on Phraseology, made report on Senate Bill No. 89 and recommend that it be amended, and that when so amended, it do pass.

Concurred in.

Senator Sellers, from Committee on Phraseology, made report on Senate Bill No. 299 and recommend that it be amended, and that when so amended, that it do pass.

Concurred in.

Senator Sellers, from Committee on Phraseology, made report on Senate Bill No. 274 recommending that the bill be amended, and that when so amended, that it do pass.

Concurred in.

Senator Sellers, from Committee on Phraseology, made report on Senate Bill No. 131 and recommend that the same be amended, and that when so amended, that the same do pass.

Concurred in.

Senator Adkinson presented a petition, which was referred to Committee on Public Health without reading.

Senator Smith, of Jennings, presented a petition which was referred to the Committee on Temperance.

Senator Youche moved to take up Concurrent Resolution No. 81.

Carried.

Senator Smith, of Jay, moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Ernest, Faulkner, Johnston, May, McClure, Peterson, Rahm, Sellers, Shively, Smith of Jay, Smith of Delaware. Total, 14.

Those voting in the negative were:

Senators Bryant, Campbell of St. Joseph, Davis, Day, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Macy, Marshall, Moon, McCullough, McIntosh, Null, Overstreet, Richardson, Smith of Jennings, Thompson, Weir, Youche, and Zimmerman. Total, 25.

So the motion was lost.

The question being on the adoption of the concurrent resolution as amended.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Youche, and Zimmerman. Total, 41.

None voting in the negative.

So the resolution was carried.

The following message was received from the House at the hand of H. C. Darnell, Clerk, to wit:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following bills:

House Bill No. 184, to amend section 5096 of the Revised Statutes.

House Bill No. 372, to legalize the election of the Board of Trustees of the town of Ligonier, Noble county, Indiana.

House Bill No. 314, concerning mechanics' liens.

Senate Bill No. 294, to legalize the construction of a free gravel road in Parke county, Indiana.

House Bill No. 317, with engrossed amendments thereto, for the construction of levees.

And the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Engrossed Senate Bill No. 31 was read a third time.

On motion of Senator Weir the bill was referred back to the special committee.

Engrossed Senate Bill No. 89 was taken up and recommitted to the special committee.

Senator McCullough asked to be excused from acting on special committee on the drainage bill.

Granted.

Senator Ernest was appointed in Senator McCullough's place.

Engrossed Senate Bill No. 94 was read a third time.

On motion of Senator Sellers, the bill was referred back to the special committee.

Senator Smith, of Jennings, moved that the House be requested to return to the Senate Senate Bill No. 293.

Carried.

Engrossed Senate Bill No. 109 was read a third time and put upon its passage.

The question being, Shall the bill pass?

On motion of Senator Faulkner, the Senate adjourned.

AFTERNOON SESSION.

MARCH 18, 1885.

Senate met at 2 o'clock, with Lieutenant Governor Manson in the chair.

The following communication from the Governor was read:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 18, 1885.

To the Honorable, the President of the Senate:

By the direction of the Governor I have the honor to inform the Senate that he yesterday received and approved Senate Enrolled Acts Nos. 4, 11, 50, 59 and 213, and has caused the same this day to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

Senator Smith, of Jay, presented a petition and remonstrance and had them referred to the Committee on Agriculture.

The question being on the passage of Engrossed Senate Bill No. 109.

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Moon, Null, Sellers and Smith of Brown. Total, 4.

Those voting in the negative were:

Senators Adkinson, Benz, Bryant, Davis, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Mar-

shall, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Shively, Smith of Jennings, and Thompson. Total, 35.

So the bill failed to pass.

Senator Faulkner moved to reconsider the vote and lay the motion on the table.

Carried.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, presented the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 294, with Enrolled Senate Act No. 294, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Hilligass moved to take Senate Bill No. 170 from the table.

Carried.

Senator Willard demanded the previous question, which was seconded.

The question being, Shall the main question be now put.

So ordered.

Senator Fowler moved to recommit Senate Bill No. 170 to the Committee on Judiciary.

Lost.

Senator Foulke moved that the bill be considered engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Campbell of St. Joseph, Drake, Ensley, Ernest, Foulke, Hill, Hilligass, Huston, Macy, Moon, McClure, McCullough, Null, Richardson, Sellers, Smith of Jennings, Thompson, Willard and Youche. Total, 20.

Those voting in the negative were:

Senators Adkinson, Brown, Bryant, Davis, Day, Duncan of Hamilton, Duncan of Brown, Faulkner, Fowler, Hoover, Howard, Johnson, Johnston, Lindley, Marshall, May, McIntosh, Overstreet, Peterson, Rahm, Shively, Smith of Jay, Smith of Delaware, Weir and Zimmerman. Total, 25.

So the motion was lost.

Senator Weir moved that the bill be recommitted to a special committee of three, with instructions to amend by inserting ten days as the limit.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McClure, Null, Overstreet, Peterson, Rahm, Shively, Smith of Jennings, Smith of Delaware, Weir, Willard, Youche, and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Benz, Brown, Duncan of Brown, Howard, May, McCullough, McIntosh, Sellers, and Smith of Jay. Total, 9.

So the motion carried.

The Chair appointed the following committee:

Senators Hilligass, Willard and Drake.

On motion of Senator Macy, Senate Bill No. 89 was put upon its passage.

The question being, Shall the bill pass?

The ayes and noes being called resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Huston, Johnson, Johnston, Lindley, Macy, Marshall, Moon, McIntosh, Overstreet, Rahm, Richardson, Smith of Delaware, Thompson, Youche. Total, 28.

Those voting in the negative were :

Senators Benz, Hilligass, Hoover, Howard, McClure, Null, Peterson, Sellers, Shively, Smith of Jennings, Weir, and Zimmerman. Total, 12.

The bill passed.

The title was read, and was referred to the Committee on Phraseology.

The President presented a communication from sundry disabled employes of railroads.

Which was read and referred to the Committee on Rights and Privileges, with instructions to report a bill on the subject.

Senator McIntosh was granted leave of absence until to-morrow forenoon.

Senator Sellers, from Committee on Phraseology, made the following report :

MR. PRESIDENT :

Your Committee on Phraseology, to which was referred Senate Bill No. 94, beg leave to recommend that the same be amended as follows: Strike out the word "that" after the enacting clause, and insert in lieu thereof the following :

That section 3 of the above entitled act be and the same is hereby amended to read as follows, to wit: "Section 3."

Also, insert after the word "purchase," in line 15 of page 2, the words, "and upon conviction of the violation of the provisions of this act such Reporter or other persons."

Adopted.

Senator Sellers moved to make Senate Bill No. 94 a special order for to-morrow at 11 o'clock.

Senator Fowler moved to amend by concurring in the majority report.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Brown, Ensley, Ernest, Fow-

ler, Hill, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Rahm, Richardson, Smith of Delaware, Thompson and Youche. Total, 21.

Those voting in the negative were:

Senators Benz, Brown, Duncan of Hamilton, Faulkner, Foulke, Hoover, Johnson, Johnston, May, McClure, McCullough, Null, Peterson, Sellers, Shively, Smith of Jennings, Weir and Zimmerman. Total, 17.

So the report was concurred in and the bill was ordered engrossed.

Senator Fowler moved that the bill be made a special order for to-morrow morning at 11 o'clock A. M.

Carried.

Engrossed Senate Bill No. 122 was read a third time.

Senator Foulke moved to refer the bill to a committee of one, with instructions to amend the same and report immediately.

Carried.

Committee appointed was Senator Foulke.

Senate Bill No. 295, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Moon, McClure, Null, Overstreet, Peterson, Rahm, Shively, Smith, of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Youche and Zimmerman. Total, 32.

Those voting in the negative were:

Senators Brown, Fowler, Marshall, McCullough and Richardson. Total, 5.

So the bill passed.

The title as read was adopted.

Senator Foulke, from the special committee of one on Senate Bill No. 122, offered the following report:

MR. PRESIDENT:

Your special committee of one, to whom was referred Senate Bill No. 122, beg leave to report that I have amended the same by striking therefrom the words, "she receiving no part of the purchase money."

Foulke.

Report concurred in.

The question being on the passage of Senate Bill No 122.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Campbell of Hendricks, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Moon, McClure, McCullough, Overstreet, Smith of Jennings, Smith of Delaware, Thompson and Youche. Total, 22.

Those voting in the negative were:

Senators Bryant, Brown, Campbell of St. Joseph, Davis, Duncan of Brown, Ernest, Faulkner, Fowler, Howard, Johnston, Marshall, May, Null, Peterson, Richardson, Shively, Smith of Jay, Weir and Zimmerman. Total, 19.

So the bill failed to pass for want of a constitutional majority.

Senator Smith, of Jay, presented the following, and asked that it be spread upon the journal :

MR. PRESIDENT:

I desire to present the following objections to the report of the committee of one on Senate Bill No. 122: That the same is out of order for the following reasons, to-wit: That after the bill had been engrossed, the Senator from Wayne asked unanimous consent to amend the bill by striking out the words "she receiving no part of the purchase money," and there being objection to such amendment the Senator from Wayne moved that the bill be referred to a committee of one to so amend the bill, and upon a vote there was 27 votes for such motion, and the bill on such vote was referred to a special com-

mittee of one, consisting of the Senator from Wayne, and said committee returned said bill with these words stricken out, to-wit: "she receiving no part of the purchase money;" that when said report was returned, Smith, of Jay, raised the point of order that said amendment could not be made after the engrossment of the bill, but the President overruled the point of order, and the undersigned Senator now here presents the above as a statement of the facts concerning said amendment, and asks that the same may be spread upon the Journal for future reference.

SMITH of Jay.

Senator Hilligass, from the special committee on Senate Bill No. 170, made the following report :

MR. PRESIDENT :

Your special committee have had under consideration Senate Bill No. 170, a bill for an act concerning the recording of conveyances of real estate, and report the same back to the Senate with the recommendation that it be amended so as to read as follows, and that when so amended the bill do pass.

W. J. HILLIGASS,
J. S. DRAKE,
JAS. H. WILLARD.

"An act to amend an act entitled an act to amend section number sixteen (16) of an act entitled an act concerning real property and the alienation thereof," approved May 16, 1852, the same being section 2931 of the Revised Statutes of 1881.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, that an act entitled "An act to amend section number sixteen of an act entitled 'An act concerning real property and the alienation thereof,'" approved May 16, 1852, be amended so as to read as follows :

Sec. 16. Every conveyance or mortgage of lands, or of any interest therein, and every lease for more than three years, shall be recorded in the Recorder's office of the county where such lands shall be situated, and every conveyance, mortgage or lease not so recorded in ten days from the execution thereof, shall be fraudulent and void as against any subsequent purchaser, lessee or mortgagee in good faith and for a valuable consideration.

The report was concurred in.

Senator Weir moved that the bill be considered engrossed.
Carried.

Engrossed Senate Bill No. 170 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, and Youche. Total, 36.

Those voting in the negative were:

Senators Brown, Faulkner, and Zimmerman. Total, 3.

So the bill passed.

The title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 165 and Senate Bill No. 162, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Lindley presented a petition from the citizens of Parke county.

Which was referred to the Committee on Roads, without reading.

Engrossed Senate Bill No. 336 was read a third time.

On motion of Senator Faulkner the Senate adjourned until to-morrow morning at 9:30 o'clock.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

MARCH 19, 1885.

Senate met in special session, Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Frazee, of the House of Representatives.

The journal was read in part, and, on motion of Senator Benz, the further reading was dispensed with.

Senator Johnson, from the Committee on Roads, made a report on Engrossed House Bill No. 231, with amendments, and recommending that the same do pass.

Senator Johnson, from the Committee on Roads, made a report on Engrossed House Bill No. 101, with amendments, and recommending its passage.

Senator Campbell of St. Joseph moved that the constitutional rule be suspended, and Engrossed House Bill No. 101 be read a second time by title, a third time by sections, and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hilligass, Hoover, Huston, Johnston, Macy, Marshall, Moon, McIntosh, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jay, Smith of Delaware, Weir, Willard and Zimmerman. Total, 34.

No one voting in the negative.

So the rules were suspended.

Engrossed House Bill No. 101 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Engrossed House Bill No. 101, introduced by Representative McGovney,

for "An act to amend sections 1, 6 and 20 of an act concerning highways and supervisors thereof," approved March 2, 1883, and declaring an emergency, have had the same under consideration, and a majority of the committee recommend that the following be substituted in lieu of said bill, and that the said substitute do pass.

C. JOHNSON,
Chairman.

The report was concurred in.

Engrossed House Bill No. 101 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Duncan of Hamilton, Duncan of Brown, Ernest, Faulkner, Hoover, Howard, Huston, Johnston, Macy, Marshall, Moon, McClure, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Youche, and Zimmerman. Total, 32.

Those voting in the negative were:

Senators Davis, Drake, and Hill. Total, 3.

So the bill passed.

The title as read was adopted.

Senator Weir presented a petition, which was referred to Committee on Education without reading.

Senator Johnston made a report on House Bill No. 117, from the Committee on Roads, recommending that the same do pass.

Senator Overstreet moved to reconsider the vote by which Senate Bill 127 was laid on the table.

Carried.

Senator Smith, of Delaware, made the following motion:

MR. PRESIDENT:

I move that Senate Bill No. 127 be recommitted to a committee of one, consisting of the Senator from Johnson, with instructions to so amend it that its tolls shall conform to the legal rates of other toll roads of the State.

Carried.

And bill referred to Senator Overstreet.

Senator Duncan, of Brown, called up Senate Bill No. 201, and moved that the bill be engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Johnston, Marshall, Moon, McClure, Overstreet, Peterson, Rahm, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard and Zimmerman. Total, 24.

Those voting in the negative were:

Senators Adkinson, Davis, Day, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, May, McCullough, McIntosh, Null and Richardson. Total, 16.

The motion carried and bill ordered engrossed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 527, in relation to the Soldiers' Orphans' Home and the Asylum for Feeble-Minded Children, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Smith, of Jay, by unanimous consent, made a report on House Bill No. 402, with amendments, and recommending its passage when so amended.

Senator Hilligass moved to take up Engrossed House Bill No. 527 and have bill read for information.

Carried.

Engrossed House Bill No. 527 was read a first time.

Senator Foulke moved that Engrossed House Bill No. 527 be referred to the Committee on Benevolent and Reformatory Institutions, and that the bill be made a special order for to-morrow at 2 o'clock P. M.

Senator Smith, of Jennings, moved to amend by referring the bill to the committee which originally drafted bill, and have the committee report to-morrow morning, and the bill be made a special order for 2 o'clock P. M. to-morrow.

Carried.

Senator Weir presented petitions on the subject of teaching hygiene in the public schools.

Which were referred to the Committee on Education, without reading.

The President of the Senate announced that he had signed Senate Enrolled Acts Nos. 294 and 164.

Senator Sellers presented petitions on the subject of teaching hygiene in the public schools.

Which were referred to Committee on Education, without reading.

Senator Willard presented like petitions on same subject, which were referred to same committee.

Senator Lindley was given indefinite leave of absence.

Senator McIntosh presented petitions on the subject of hygiene being taught in the public schools, which were referred to the Committee on Education without reading.

Senator Overstreet presented petition.

Referred to Committee on Education.

Senator Fowler presented petition.

Referred to Committee on Education.

Senator Adkinson presented petition.

Referred to Committee on Education.

Senator Shively presented petition.

Referred to Committee on Education.

Senator Null presented petition.

Referred to Committee on Education.

Senator Ernest presented petition.

Referred to Committee on Education.

Senator Duncan, of Brown, presented three petitions.

Referred to Committee on Education.

Senator Ernest presented a petition.

Referred to Committee on Education.

Senator Day presented a petition.

Referred to Committee on Education.

Senator Hill presented a petition.

Referred to Committee on Education.

Senator Hoover presented a petition.

Referred to Committee on Education.

Senator Winter presented petitions on the subject of Hygiene being taught in the public schools, which were referred to the Committee on Education, without reading.

Senator McClure presented petitions on the same subject, which were referred to the same committee.

Senator Zimmerman presented petitions on the same subject, which were referred to the same committee.

Senator Foulke presented petitions on the same subject, which were referred to the same committee.

Senator Faulkner presented petitions on the same subject, which were referred to the same committee.

Senator Hilligass presented petitions on the same subject, which were referred to the same committee.

Senator Smith, of Jay, presented petitions on the same subject, which were referred to the same committee.

Senator Davis presented petitions on the same subject, which were referred to the same committee.

Senator Drake presented petitions on the same subject, which were referred to the same committee.

Senator Campbell, of Hendricks, presented petitions on the same subject, which were referred to the same committee.

Senator Smith, of Jennings, presented petitions on the same subject, which were referred to the same committee.

Senator Ensley presented petitions on the same subject, which were referred to the same committee, without reading.

Senator Moon presented petitions on the same subject, which were referred to the same committee.

Senator May presented petitions on the same subject, which were referred to the same committee.

Senator Marshall presented petitions on the same subject, which were referred to the same committee.

Senator Duncan, of Tipton, presented petitions on the same subject, which were referred to the same committee.

Secretary Kelly's leave of absence was extended until tomorrow afternoon.

Engrossed Senate Bill No. 194 was taken up, the same being the special order for 11 o'clock.

Engrossed Senate Bill No. 194 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

Senator Hilligass moved that the bill be indefinitely postponed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Campbell of Hendricks, Day, Duncan of Brown, Duncan of Tipton, Ensley, Ernest, Faulkner, Hilligass, Hoover, Johnston, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Winter, Youche, and Zimmerman. Total, 29.

Those voting in the negative were:

Senators Campbell of St. Joseph, Davis, Drake, Foulke, Fowler, Hill, Huston, Macy, Marshall, Null, Rahm, Thompson. Total, 12.

The bill was indefinitely postponed.

Engrossed Senate Bill No. 336 was put upon its passage.

Senator Foulke moved to refer Senate Bill No. 336 to a special committee of five with instructions.

Carried.

Committee appointed was Senators Smith of Jay, Rahm, Huston, Youche, and Willard.

Senator Weir moved that the committee on the Knightstown bill be excused until this afternoon.

Carried.

Senator Thompson presented a petition, which was referred to the Committee on Education.

Senator Johnson presented a petition, which was referred to the Committee on Education.

Engrossed Senate Bill No. 131 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Day, Duncan of Brown, Ensley, Hill, Huston, Johnston, Macy, Marshall, May, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Delaware, Thompson, Weir, Willard, Youche and Zimmerman. Total, 28.

Those voting in the negative were :

Senators Campbell of St. Joseph, Davis, Drake, Ernest, Faulkner, Fowler, Hoover and McIntosh. Total 8.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 141 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell, of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Ernest, Hill, Hoover, Huston, Johnson, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Delaware, Youche and Zimmerman. Total, 33.

Those voting in the negative, were :

Senators Duncan of Brown, and Willard. Total, 2.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 143 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Hill, Johnson, Johnston, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, and Zimmerman. Total, 29.

Those voting in the negative were:

Senators Davis, Duncan of Hamilton, Hoover, Macy, Peterson, Sellers, and Willard. Total, 8.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 145 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Hill, Hoover, Johnson, Macy, Marshall, May, Moon, McIntosh, Null, Peterson, Rahm, Richardson, Shively, Thompson, Willard, and Zimmerman. Total, 25.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of St. Joseph, Davis, Duncan of Hamilton, Johnston, McClure, McCullough, Overstreet, Smith of Delaware, and Youche. Total, 11.

So the bill failed to pass for want of a constitutional majority.

On motion of Senator Faulkner, the Senate adjourned to meet at 2 o'clock p. m.

AFTERNOON SESSION.

MARCH 19, 1885.

Senate met at 2 o'clock, with Lieutenant Governor Manson in the chair.

The roll was called to ascertain if there was a quorum present.

The call disclosed that there was a quorum present, and on motion, the further call of the roll was dispensed with.

The following communication was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 19, 1885.

To the Honorable, the President of the Senate :

By the direction of the Governor, I have the honor to inform the Senate that on yesterday he received and approved Senate Enrolled Act 294, and caused the same to be filed in the office of the Secretary of State; and that to-day he received, approved and signed Senate Enrolled Act 162, and caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 537, making an appropriation to pay the expense of the present session of the legislature and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator McIntosh by unanimous consent was permitted to state, that had he been present when the vote was taken on Senate Bill No. 295, that he would have voted for the same and ask that the Journal show the same.

Granted.

Special order (Senate Bill No. 175) was taken up and read a second time, with minority and majority reports.

Senator Johnson moved to concur in the majority report of the Committee on Senate Bill No. 175.

Senator Null moved to amend by substituting the minority report for the majority.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bryant, Day, Ernest, Foulke, Hill, Howard, Johnston, May, McClure, McIntosh, Null, Peterson, Richardson, Shively, Smith of Jennings, Smith of Jay, Weir, Youche and Zimmerman. Total, 19.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of Hendricks, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Fowler, Hoover, Huston, Johnson, Macy, Marshall, Moon, Overstreet, Rahm, Sellers, Smith of Delaware, Thompson, Willard and Winter. Total, 22.

So the motion was lost.

Senator Winter offered the following amendment to the majority report, to wit:

MR. PRESIDENT:

I move to amend the majority report on the bill by striking out of lines 14 and 15 of the printed bill the words, "Governor, Secretary, Auditor and Treasurer of State," and insert in lieu thereof the following: "Board of Aldermen and Common Council, or Common Council of such city."

Also, by inserting in line 18, after the word "Commissioner," the following: "And shall be selected from nominations made by the members of the Board of Aldermen and Common Council belonging to the political party which is in the minority in Said Board of Aldermen and Common Council on joint ballot."

Strike out of lines 22 and 23 the words "Governor, Secretary, Auditor and Treasurer of State, or a majority of them," and insert "Board of Aldermen and Common Council, or Common Council, for cause to be stated of record."

Strike out of line 37 the words, "Governor, Secretary, Auditor and Treasurer of State, or a majority of them," and insert "Board of Aldermen and Common Council, or Common Council."

Strike out of line 39 the words, "Governor, Secretary, Auditor and Treasurer of State," and insert "Board of Aldermen and Common Council, or Common Council."

Strike out of line 11 the word "sixteen," and insert in lieu thereof "twenty-nine."

Senator Smith, of Jay, offered the following amendment to Senate Bill No. 175 :

MR. PRESIDENT :

I move to amend section 1 of the bill so as to read as follows : By striking out of line 2 of said section one "or more inhabitants," and insert in lieu thereof "and less than twenty-five thousand."

Senator Sellers offered the following as a substitute to Senator Winter's amendment :

MR. PRESIDENT :

I move the following substitute for the amendment of Senator Winter: To amend Senate Bill No. 175 by inserting after the word "inhabitants," in line 11 of the printed bill, the words "and less than twenty-six thousand five hundred, and in all cities having a population of more than twenty-nine thousand."

Senator Sellers demanded the previous question.

Which was not seconded.

Senator Hilligass moved to indefinitely postpone the consideration of the bill.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Brown, Campbell of St. Joseph, Day, Ernest, Foulke, Hill, Hilligass, Hoover, Huston, Johnston, Macy, Marshall, May, McClure, McCullough, McIntosh, Null,

Overstreet, Peterson, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Youche, and Zimmerman. Total, 80.

Those voting in the negative were :

Senators Benz, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Faulkner, Howard, Johnson, Moon, Sellers, Willard, Winter. Total, 14.

So the motion carried.

Senator Brown moved to reconsider the vote taken and lay the motion on the table.

Carried.

Senator Smith, of Jay, moved that Senator May be granted leave of absence until to-morrow night.

Granted.

Senator Youche asked a leave of absence for Senator McCullough until Monday.

Granted.

Senator McCullough asked leave of absence for John Nestor for Saturday, Monday and Tuesday.

Granted.

Senator Weir asked leave of absence for Senator Fowler indefinitely.

Granted.

Senator Smith, of Jennings, from the special committee on Engrossed House Bill No. 527 (Knightstown Bill) made a report with amendments, and when amended that the bill pass.

Senator Weir moved that the committee report on House Bill No. 527 be adopted.

Carried.

Senator Hilligass moved that 150 copies of Engrossed House Bill No. 527 be printed with amendments, and the bill be made a special order for Friday morning at 11 o'clock.

Lost.

Senator Weir moved that the constitutional rule be suspended, the bill with amendments be read a second time by title, amendments considered engrossed, read a third time by sections and put upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of Putnam, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Marshall, Moon, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, Zimmerman. Total, 39.

Senator McClure voted in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 527, together with following report of the committee, was read a second time.

MR. PRESIDENT :

You special committee, to whom was referred Engrossed House Bill No. 537, have had said bill under consideration, and recommend that it be amended as follows :

Strike out all after the word "shall," on page 3, in line 5, and insert "consist of at least one woman, and the male member or members thereof shall be honorably discharged Union soldiers. Two of said Board shall constitute a quorum. At least one member shall be an adherent of each of the two political parties casting the largest number of votes at the last preceding general election."

Also, strike out all of line 6, and the word "assembly" in line 7, on page 3.

Also, strike out the word "four" and insert the word "five," in line 5, on page 4.

Also, strike out the word "January" and insert the word "February," in line 4, page 5.

Also, strike out the word "January" and insert the word "February," in line 11, page 5.

Also, strike out all of lines 3 and 4, and the following words in line 5, page 6, "of the General Assembly."

Also, strike out "subject to approval by the General Assembly," in lines 9 and 10, on page 6.

Also, strike out the words "for cause," in line 4, on page 7.

Also, insert before the word "shall," in line 10, page 7, the following words: "Shall hold his office during the term of four years, unless sooner removed," and also, strike out the word "twelve," in line 11, page 7, and insert the word "fifteen."

Also, insert after the word "superintendent," in line 17, page 6, the following words: "Who may be a male or female."

Also, strike out all after the word "institution," in line 7, page 9, and before the word "during," in line 13, and when so amended, recommend that said bill do pass.

A. G. SMITH,
Chairman.

Report concurred in.

Senator Smith, of Jay, moved to make the bill a special order for to-morrow at 10:30 o'clock, A. M.

Lost.

Senator Campbell, of St. Joseph, offered the following amendment to Engrossed House Bill No. 527:

The male members of the Board of Trustees shall be of different political parties, selected from the two political parties casting the greatest number of votes for Governor at the last general election.

Rejected.

Senator Youche offered the following as a substitute:

MR. PRESIDENT:

I move to amend by adding the following: "And no two male members of said board shall belong to the same political party."

Lost.

On motion the bill was considered engrossed.

Senator Faulkner demanded the previous question, which was seconded.

The question being, Shall the bill pass?

Carried.

Engrossed House Bill No. 527 was read a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Huston, Johnston, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 40.

None voting in the negative.

So the bill passed.

The title was read and referred to Committee on Phraseology.

The President announced that he had signed Senate Enrolled Act No. 162, and House Enrolled Act No. 484.

The following messages was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 3, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,

Clerk.

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 71, requiring railroad companies to fence their right of way, and House Bill No. 172, to prevent gaming at county fairs, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,

Clerk.

Senator Weir moved to take up House Bill No. 537.

Senator Faulkner moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Day, Drake, Ensley, Faulkner, Foulke, Hill, Hilligass, Hoover, Huston, Marshall, McClure, McCullough, McIntosh, Smith of Jennings and Youche. Total, 17.

Those voting in the negative were :

Senators Adkinson, Bryant, Campbell of St. Joseph, Davis, Duncan of Hamilton, Duncan of Brown, Ernest, Johnston, Macy, Null, Overstreet, Peterson, Ranm, Sellers, Shively, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter and Zimmermann. Total, 21.

So the motion was lost.

Senator Youche moved to refer House Bill No. 537 to the Committee on Finance.

Senator Hilligass moved to adjourn.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Drake, Faulkner, Hill, Hilligass, Hoover, McClure and Null. Total, 8.

Those voting in the negative were :

Senators Akinson, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Huston, Johnston, Macy, Marshall, Overstreet, Peterson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Winter, Youche and Zimmerman. Total, 26.

The motion was lost.

Senator Hilligass moved to adjourn.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were:

Senators Benz, Faulkner, Hill, Johnston, McClure, McCullough, Mull, and Smith of Jennings. Total, 8.

Those voting in the negative were:

Senators Adkinson, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Hilligass, Hoover, Huston, Macy, Marshall, McIntosh, Peterson, Rahm, Sellers, Shively, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 88.

So the motion was lost.

Senator Weir demanded the previous question.

Seconded.

The question being, Shall the main question be now put?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Bryant, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ernest, Johnston, Macy, Marshall, Moon, McCullough, Null, Overstreet, Peterson, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 26.

Those voting in the negative were:

Senators Benz, Day, Faulkner, Foulke, Hill, Hilligass, Hoover, Huston, McClure, McIntosh, Peterson, Rahm and Shively. Total, 13.

So the motion carried.

Senator Weir's motion to take up House Bill No. 537, was carried.

Senator Youche moved to refer the Bill to the Committee on Finance.

Senator Foulke moved to amend and have the bill incorporated in General Appropriation Bill.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Davis, Day, Drake, Ensley, Faulkner, Hill, Hilligass, Hoover, McClure, McCullough, Null, Rahm, Smith of Jennings and Youche. Total, 16.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Campbell of St. Joseph, Duncan of Tipton, Duncan of Brown, Ernest, Huston, Johnston, Macy, Moon, McIntosh, Overstreet, Peterson, Sellers, Shively, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Zimmerman. Total, 22.

So the motion was lost.

Senator Weir demanded the previous question.

Seconded.

The question being, Shall the main question be now put?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Duncan of Hamilton, Duncan of Brown, Ernest, Huston, Johnston, Macy, Marshall, Moon, McCullough, Peterson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Zimmerman. Total, 24.

Those voting in the negative were:

Senators Day, Drake, Faulkner, Foulke, Hill, Hilligass, Hoover, McClure, McIntosh, Null, Overstreet, Rahm, Winter, and Youche. Total, 14.

So the motion carried.

The question being on Senator Youche's substitute.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Davis, Duncan of Tipton, Duncan of Brown, Ernest, Huston, Johnston, Macy, Marshall, Moon, McCullough, Peterson, Sellers, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Zimmerman. Total, 21.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Day, Drake, Ensley, Faulkner, Foulke, Hill, Hilligass, Hoover, McClure, McIntosh, Null, Overstreet and Youche. Total, 15.

So the substitute was adopted.

The question being on the substitute as amended.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Huston, Johnston, Macy, Marshall, Moon, McCullough, Overstreet, Peterson, Sellers, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 24.

Those voting in the negative were:

Senators Adkinson, Benz, Day, Faulkner, Foulke, Hill, Hilligass, Hoover, McClure, Null and Youche. Total, 12.

So the motion was carried.

Engrossed House Bill No. 537, was read a first time and referred to the Committee on Finance.

Senator Sellers moved to adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Campbell of St. Joseph, Duncan of Hamilton, Duncan of Brown, Ernest, Huston, Johnston, Macy, Marshall, McCullough, Peterson, Sellers, Smith of Jay, Smith of Delaware, Weir, Winter and Zimmerman. Total, 18.

Those voting in the negative were:

Senators Adkinson, Benz, Davis, Day, Drake, Faulkner, Foulke, Hill, Hilligass, Hoover, McClure, Null, Overstreet and Youche. Total, 14.

Carried and Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

MARCH 20, 1885.

Senate met in special session, with Lieutenant-Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Bradley, of St. Johns Episcopal Church.

The Journal was read in part, and on motion of Senator Winter, further reading was dispensed with.

Senator Duncan, of Brown, made a report from the Committee on Elections on Senate Bill No. 173 with amendments, recommending the same do pass.

Senator Winter made a report from the Committee on the Judiciary on Senate Bill No. 349, recommending the same do pass.

Senator Brown asked leave of absence for the day for Senator Smith, of Jennings.

Granted.

Senator Overstreet from the special committee, made report on Senate Bill No. 326. Committee report recommending that it be amended, and that when so amended, it do pass.

Senator Overstreet from special committee on Senate Bill No. 127, made report and recommend that it be amended as follows, and that when so amended, it do pass.

Senator Hill from the Committee on Agriculture, offered the following report on Engrossed House Bill No. 248, and recommend that it do lie on the table.

Senator Hill made report from the Committee on Agriculture on Senate Bill No. 363, and recommend that it do lie on the table.

Senator Johnston from Committee on Roads on Engrossed House Bill No. 9, and recommend that it do lie on the table.

Senator Johnston, from the Committee on Roads, made a report on Engrossed House Bill No. 33, with amendments, recommending that the same do pass when so amended.

Senator Thompson presented a petition, which was referred to the Committee on Benevolent Institutions.

Senator Weir moved that when the Senate adjourn at noon to-day it adjourn until Monday at 2 o'clock P. M.

Carried.

Senator Huston introduced Senate Bill No. 365, entitled:

A bill for an act to amend section 87 of an act entitled an act to provide for a general system of common schools, etc.

Read the first time and referred to the Committee on Education.

Senator Marshall introduced Senate Bill No. 366, entitled:

A bill for an act to amend an act entitled an act defining the Twenty-first, Twenty-second and Forty-seventh Judicial Circuits of the State of Indiana, approved February 25, 1885.

Which was read the first time and referred to a special committee of three, consisting of Senators Marshall, Weir, and Sellers.

Senator Thompson introduced Senate Bill No. 367, entitled:

A bill for an act providing a dentist for the State Reformatory and Benevolent Institutions, fixing the salary and fees of such dentist, and declaring an emergency.

Which was read the first time and referred to the Committee on Benevolent Institutions.

Senator Willard, from the Committee on Finance, presented a report on House Bill No. 537, with amendments, and when so amended that it do pass.

Senator Willard moved that Engrossed House Bill No. 527 be read the second time.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Hoover, Johnston, Macy, Moon, McClure, Overstreet, Peterson, Sellers, Shively, Smith of Jay, Smith of Randolph, Thompson, Weir, Willard, Winter, Zimmerman. Total, 26.

Those voting in the negative were:

Senators Adkinson, Davis, Faulkner, Foulke, Hill, Huston, McCullough, Rahm, Richardson. Total, 9.

The motion was carried.

Engrossed House Bill No. 527 was read a second time, together with the following report of the Finance Committee:

MR. PRESIDENT:

Your Committee on Finance, to whom was referred House Bill No. 537, would report the same back with the recommendation that it be amended in line 12 of section 12, the same being line 6, page 37, by striking out the words, "separate and," and when so amended your committee recommend that the bill do pass.

J. H. WILLARD,
Chairman.

Report concurred in and amendments ordered engrossed.

Engrossed Senate Bill No. 148, with report from Committee on Phraseology, was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Hill, Hoover, Huston, Johnston, Macy, Marshall, Moon, McClure, McIntosh, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, and Zimmerman. Total, 43.

No one voting in the negative.

The bill passed.

The title as read was adopted.

Senator Brown, from the Committee on Inspection of Journals, made the following report :

MR. PRESIDENT:

Your Committee on the Inspection and Supervision of the Journals of the Senate, beg leave to report that they have examined said Journals to March 20, 1885, and find the same correct.

E. W. BROWN,
Chairman.

Engrossed Senate Bill No. 151 was read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Hill, Huston, Johnston, Macy, Marshall, Moon, Overstreet, Richardson, Sellers, Shively, Smith of Delaware, Weir, Willard, Winter, and Zimmerman. Total, 28.

Those voting in the negative were :

Senators Brown, Faulkner, Hoover, McClure, McIntosh, Smith of Jay, and Thompson. Total, 7.

So the bill passed.

The title was referred to the Committee on Phraseology.

Senator Brown asked leave of absence for Senator Faulkner. Granted.

Senator Drake asked leave of absence for Senator Campbell, of Hendricks, for to-day.

Granted.

Senator McIntosh asked leave of absence for himself until Monday next at 2 o'clock P. M.

Engrossed Senate Bill No. 161 was read a third time.

Senator Benz moved to postpone the consideration of the bill until next Tuesday.

Carried.

Engrossed Senate Bill No. 163 was read a third time.

On motion the bill was indefinitely postponed.

Engrossed Senate Bill No. 164 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Hill, Hoover, Huston, Macy, Marshall, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Randolph, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 31.

Those voting in the negative were:

Senators Benz, Johnston, McClure, McIntosh, and Smith of Jay. Total, 5.

So the bill passed.

The title as read was adopted.

Senator Campbell of St. Joseph asked leave of absence for Senator Moon until next Monday.

Granted.

Senator Sellers, from the Committee on Phraseology, made the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to whom was referred Senate Bill No. 151, beg leave to recommend that the words "section 9 of" be inserted after the word "amend" in line one of the title thereof, and that the following be added to said title, to wit: "being section 4520 of the Revised Statutes of 1881."

E. B. SELLERS,
Chairman.

Report concurred in, and the title as amended was adopted as the title of the Bill No. 151.

The Committee on Elections made the following report:

MR. PRESIDENT:

Your Committee on Elections, to whom was referred Senate Bill No. 173, with instructions, entitled a bill for an act requiring the ballot to be placed in an envelope, have had the same under consideration, and make the following report:

Amend the bill by striking out section 2 and substituting the following: Sec. 2. All envelopes which may be used for such election purposes shall be made of pure white paper and of the uniform length of three and one-half inches and one inch in width, with a uniform lap of one inch, opening and sealing from the end; such envelopes to be furnished in the same manner, time and sufficient number for election purposes as the tally-sheets and poll-books are furnished.

And your committee recommend that after the bill be so amended it do pass.

W. C. DUNCAN,
Chairman.

C. C. DUNCAN,
N. ENSLEY,
J. S. DRAKE,
FREDERICK HOOVER,
JAMES HILL.

Report concurred in, and the bill ordered engrossed.

Engrossed Senate Bill No. 171 was read a third time and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Bryant, Campbell of St. Joseph, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Hill, Hoover, Huston, Johnston, Peterson, Sellers, Shively, Smith of Jay, Thompson, Weir and Zimmerman. Total, 21.

Those voting in the negative were:

Senators Benz, Davis, Duncan of Tipton, Macy, Marshall, Moon, McClure, McIntosh, Null, Overstreet, Richardson, Smith of Delaware, Willard, Winter and Youche. Total, 15.

The bill failed to pass for the want of a constitutional majority.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Bill No. 101, and appointed Messrs. Gordon and Smith of Tippecanoe as a conference committee on the part of the House, and asks for a committee to act on the part of the Senate.

H. C. DARNELL,
Clerk.

Senator Brown moved that the Senate refuse to rescind from its amendments, and that a conference committee be appointed.

Carried.

Committee appointed were Senators Brown and Campbell of St. Joseph.

Engrossed Senate Bill No. 176 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Foulke, Hoover, Macy, Marshall, Rahm, Richardson, Sellers, Smith of Jay, Weir, Willard and Zimmerman. Total, 12.

Those voting in the negative were :

Senators Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Hill, Huston, Moon, McIntosh, Null, Overstreet, Peterson, Shively, Smith of Delaware, Thompson, Winter and Youche. Total, 22.

So the bill failed to pass.

Senator Sellers moved to reconsider the vote by which the Senate agreed to adjourn at noon until Monday at 2 o'clock P. M.

The President ruled the motion out of order.

Senator Sellers presented the following appeal from the decision of the Chair :

MR. PRESIDENT:

I appeal from the decision of the President of this Senate in which he held that a motion to reconsider a vote fixing the time to which this Senate should adjourn was not in order.

SELLERS.

I join in the above appeal.

JNO. M. SMITH.

The question being on sustaining the Chair.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Davis, Day, Duncan of Brown, Hill, Johnson, Johnston, McClure, McIntosh, Null, Richardson, Shively, Smith of Delaware, Thompson, Weir, Youche and Zimmerman. Total, 19.

Those voting in the negative were:

Senators Campbell of St. Joseph, Drake, Duncan of Hamilton, Ensley, Ernest, Foulke, Hoover, Huston, Macy, Marshall, Overstreet, Peterson, Sellers, Smith of Jay, and Winter. Total, 15.

So the decision of the Chair was sustained.

Senator Foulke moved that the order by which the Senate agreed to adjourn until Monday at 2 P. M. be rescinded and discharged.

Lost.

Senator Sellers, from the Committee on Phraseology, etc., made a report on Engrossed House Bill No. 137, with amendments, and when so amended the bill pass.

Report concurred in.

Senator Sellers asked leave of absence for J. R. Fritz, Enrolling Clerk.

Granted.

Senator Johnson, from the Committee on Education, made a majority and minority report on Engrossed House Bill No. 16.

Senator Campbell, of St. Joseph, moved to make the bill a special order for next Tuesday at 2 p. m.

Senator Smith, of Jay, moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Duncan of Brown, Ernest, Hoover, Johnson, Johnston, McClure, McIntosh, Sellers, Smith of Jay, Thompson, Willard and Zimmerman. Total, 15.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Huston, Macy, Marshall, Overstreet, Richardson, Shively, Smith of Delaware, Weir, Winter and Youche. Total, 19.

The motion was lost.

The question being on Senator Campbell's, of St. Joseph, motion—

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Huston, Macy, Marshall, Overstreet, Richardson, Sellers, Shively, Smith of Delaware, Thompson, Weir, Winter and Youche. Total, 21.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Duncan of Brown, Ernest, Hoover, Johnson, Johnston, McClure, McIntosh, Null, Willard and Zimmerman. Total, 13.

The motion was lost for want of a constitutional majority.

Senator Brown moved that the Senate adjourn.

Carried.

The Senate adjourned until 2 o'clock p. m., Monday.

MAHLON D. MANSON,
President of the Senate.

MONDAY AFTERNOON.

MARCH 23, 1885.

Senate met at 2 o'clock, pursuant to adjournment, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Smith, of the House of Representatives.

On motion of Senator Willard the reading of the Journal was dispensed with.

Senator Duncan, of Brown, offered the following resolution:
MR. PRESIDENT:

WHEREAS, This Senate has just been informed of the death of W. W. Browning, a Representative in the Fifty-fourth General Assembly, from Brown and Monroe counties, which occurred in this city; therefore, be it

Resolved, That a committee of three Senators be appointed to make arrangements to attend the funeral, and to present proper resolutions in regard to the deceased.

Resolved, That as a mark of esteem in which the deceased was held by this body, that the Senate do adjourn until tomorrow morning at 9:30 o'clock.

W. C. DUNCAN.

Resolution adopted.

The President appointed the following committee: Senators Duncan of Brown, Hilligass and Marshall.

Senator Magee moved that a committee be appointed to draft resolutions on the death of Representative Browning.

Carried.

Senators Magee, Foulke and Willard were appointed said committee.

Senator Magee asked leave of absence for Senator Schloss for an indefinite period.

Granted.

Senator Duncan, of Brown, asked leave of absence for Samuel Nedey, one of the Assistant Doorkeepers, until Wednesday at 2 o'clock.

Granted.

The committee appointed to draft resolutions on the death of Representative Browning, made the following report:

WHEREAS, The Almighty in his infinite providence has called from our midst one of our number, Hon. W. W. Browning, Representative from the counties of Brown and Monroe, therefore, be it

Resolved by the Senate of Indiana, That this body has heard with deep regret of the loss of this one of our number.

Resolved, That the memory of W. W. Browning is endeared to us on account of his uniform courtesy and kindness and his distinguished ability as a Legislator.

Resolved, That we tender to his bereaved family our sincere condolence in their affliction.

Senator Sellers moved that the Senate adjourn and proceed in a body to the funeral of the late Representative Browning.

Carried.

And the Senate adjourned until 9:30 o'clock in the morning.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

MARCH 24, 1885.

The Senate met in special session at 9:30 o'clock, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Frazee, of the House of Representatives.

Journal read and approved.

The President presented a communication from President Cleveland.

On motion leave of absence was granted to Senator Davis for an indefinite time.

Senator Sellers introduced Senate Bill No. 368, entitled:

An act supplemental to an act entitled, "an act to amend section 1 of an act entitled, an act to amend section 2 of an act concerning the organization and perpetuity of voluntary associations, and repealing an act entitled, an act concerning the organization of voluntary associations and repealing former laws in reference thereto, approved February 12, 1855, and repealing each act repealed by said act, and authorizing gifts or devises by will to be made to any corporation or purpose contemplated by this act, approved February 20, 1867, and declaring an emergency to exist, approved December 19, 1872, and declaring an emergency, approved March 26, 1881, and declaring an emergency."

Senator Sellers moved that the constitutional rule be suspended and Senate Bill No. 368 be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Fowler, Hilligass, Hoover, Huston, Johnston, Macy, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Zimmerman.
Total, 34.

Senator Foulke voting in the negative.

The constitutional rule was suspended.

Senate Bill No. 368 was read a second time by title, considered engrossed, read a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senator Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ernest, Ensley, Faulkner, Fowler, Hilligass, Hoover, Huston, Johnston, Macy, Magee, May, Moon, McClure, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jackson, Smith of Delaware, Thompson, Weir, Willard, Winter, and Zimmerman. Total, 35.

Those voting in the negative were:

Senators Foulke, McIntosh, and Smith of Jay. Total, 3.

So the bill passed.

The title as read was adopted.

Senator May moved to take up Engrossed House Bill No. 165, suspend the constitutional rule, read the bill the first time by sections, the second time by title, the third time by sections and put upon its passage.

The ayes and noes being called resulted as follows:

Those voting in the affirmative were:

Senator Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Huston, Johnston, Macy, May, Moon, McClure, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 37.

No one voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 165, was read the first time by sections, the section time by title, the third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner,

Foulke, Fowler, Hilligass, Hoover, Huston, Johnston, Macy, May, Moon, McClure, McIntosh, Null, Overstreet, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Youche, and Zimmerman. Total, 36.

No one voting in the negative.

So the bill passed.

The title was read, and, on motion, was referred to the Committee on Phraseology.

Senator Hilligass introduced Senate Bill No. 369, entitled:

An act providing for the appointment of Prosecuting Attorneys in certain cases.

Read first time and referred to Committee on Judiciary.

Senator Johnston moved to take up Engrossed House Bill No. 65.

Carried.

Engrossed House Bill No. 65 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Macy, Magee, McClure, McCullough, Null, Overstreet, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard, Youche and Zimmerman. Total, 34.

Those voting in the negative were:

Senators McIntosh, Smith of Delaware, and Winter. Total, 3.

So the bill passed.

The title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following bills:

House Bill No. 384, to legalize the incorporation of the town of Rockport, Spencer county, Ind.

House Bill No. 87, providing for the trimming of hedge fences.

House Bill No. 291, appropriating money to pay the claim of John W. Pullen.

Senate Bill No. 22, to amend section 3511 of the R. S. of 1881.

Also, House Joint Resolution No. 6, to amend section one of the constitution, and the same with the ayes and noes thereon has been entered upon the Journal of the House.

Also House Concurrent Resolution No. 4.

Also House Bill No. 527, with Senate amendments, in relation to reorganizing the Knightstown Orphans' Home.

And the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Rahm was called to the chair temporarily.

Senator Weir moved to take up House Bill No. 537.

No objection being made, the Chair directed the clerk to read the bill, whereupon Senator Foulke objected, and the Chair would not entertain his objections for reasons stated.

Senator Foulke appealed from the decision of the Chair which appeal was seconded by Senator Youche.

Senator Willard moved to lay the appeal on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Day, Duncan of Hamilton, Ernest, Fowler, Hilligass, Hoover, Johnston, Magee, McCullough, McIntosh, Null, Peterson, Richard-

son, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard and Zimmerman. Total, 26.

Those voting in the negative were:

Senators Adkinson, Drake, Ensley, Faulkner, Foulke, Huston, Macy, McClure, Overstreet, Winter and Youche. Total, 11.

So the decision of the Chair was sustained and the appeal was tabled.

Senator Foulke moved that further reading of the bill be postponed until to-morrow afternoon at 2 o'clock.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Campbell of Hendricks, Drake, Ensley, Faulkner, Foulke, Fowler, Huston, Macy, Magee, McIntosh, Null, Overstreet and Youche. Total, 14.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Day, Ernest, Hilligass, Hoover, Howard, Johnston, May, Moon, McClure, McCullough, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Randolph, Thompson, Weir, Willard, Winter and Zimmerman. Total, 26.

So the motion was lost.

Engrossed House Bill No. 537 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ernest, Foulke, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Macy, Magee, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson,

Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 87.

Senator Faulkner voting in the negative.

The bill passed.

The title as read was adopted.

Senator Smith, of Delaware, asked leave of absence for Senator Campbell, of St. Joseph.

Granted.

On motion of Senator Magee Senate Bill No. 296 was taken up.

Senator Magee moved to suspend the constitutional rules and read the bill a second time, consider it engrossed, read it a third time, and put it upon its passage.

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Foulke, Fowler, Hilligass, Hoover, Huston, Johnston, Magee, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche. Total, 86.

Senator Zimmerman voted in the negative.

The constitutional rule was suspended.

Senate Bill No. 296 was read a second time, considered engrossed, read a third time and put upon its passage.

The question being, Shall the bill pass ?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hoover, Howard, Huston, Johnston, Magee, May, Moon, McClure, McCullough, McIntosh, Null, Over-

street, Peterson, Richardson, Sellers, Smith of Jennings, Smith of Jay, Smith of Randolph, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 38.

None voting in the negative.

So the bill passed.

Title read and referred to the Committee on Phraseology.

Senator Faulkner moved to suspend the constitutional rule, read engrossed House Bill No. 172 first, second and third times and put upon its passage.

Senator Smith, of Jennings, moved to refer the bill to the Judiciary Committee.

Senator Faulkner moved to refer the bill to the Committee on Agriculture.

Senator Foulke moved to refer the bill to a special committee of five.

Senator Weir moved to lay the bill on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Howard, Smith of Jennings, Weir, and Zimmerman. Total, 5.

Those voting in the negative were:

Senators, Adkinson, Benz, Bryant, Campbell of Hendricks, Day, Drake, Duncan, of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jay, Smith of Delaware, Thompson, Winter, and Youche. Total, 33.

So the bill was not laid on the table.

Senator Smith, of Jennings, moved as a substitute, that the bill be referred to a special committee of five, to be composed of whom the Chair may select.

Carried.

The President appointed the following committee:

Senators Smith, of Jennings, Foulke, Faulkner, Peterson, and Hoover.

Senator Sellers, from the Committee on Phraseology, made the following report on Senate Bill No. 165:

MR. PRESIDENT:

Your Committee on Phraseology, etc., having had under consideration Senate Bill No. 165, beg leave to recommend that the present title to the bill be stricken out and the following submitted therefor, to wit:

An act appropriating four hundred and sixty-five dollars to pay the claims of John D. Works, Gustave Huthsteimer and the heirs of George B. Sleeth, directing the manner in which the same shall be paid, and declaring an emergency, and that said substituted title be adopted as the title to the act.

SELLERS,
Chairman.

The report was concurred in, and the title as amended was adopted as the title of the bill.

Senator Foulke moved that the vote by which Engrossed House Bill No. 537 was passed be reconsidered.

Senator Willard moved to lay Senator Foulke's motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Day, Ernest, Hilligass, Hoover, Howard, Johnson, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 25.

Those voting in the negative were:

Senators Adkinson, Benz, Campbell of Hendricks, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Huston, Macy, Moon, Overstreet, Smith of Delaware, Winter and Youche. Total, 15.

So the motion was carried.

Senator Sellers, from the Committee on Phraseology, submitted the following report on Senate Bill No. 296 :

MR. PRESIDENT :

Amend the title so that it will read as follows: "An act to amend sections 18, 19 and 21 of an act entitled 'An act in relation to the laying out, opening, widening, altering and vacation of streets, alleys and highways, and for straightening or altering of water-courses by the cities of this State, and providing for the appointment of Commissioners to assess benefits and damages, prescribing their duties and the methods of procedure, and providing for the collection of benefits and payment of damages and prescribing the duties of city officers in relation thereto, and providing remedies in such matters, approved March 17, 1875, being sections 3184, 3185 and 3187 of the Revised Statutes of 1881, and declaring an emergency.

That section 1 of the bill be amended by striking out of line 2 of the printed bill the words "3184 of the Revised Statutes of 1881," and inserting in lieu thereof the following: "eighteen of the above entitled act."

That section 2 of the bill be amended by striking out of line 1 of the printed bill the words "thirty-one hundred and eighty-five," and inserting in lieu thereof the following words: "nineteen of the above entitled act."

That section 3 of the bill be amended by striking out of line 1 of the printed bill the words "thirty-one hundred and eighty-seven," and inserting in lieu thereof the following words: "twenty-one of the above entitled act."

E. B. SELLERS,
Chairman.

Report concurred in.

On motion of Senator Hilligass, the Senate adjourned.

AFTERNOON SESSION.

MARCH 24, 1885.

Senate met at 2 o'clock, Lieutenant Governor Manson in the chair.

Senator Shively presented a petition on the subject of teaching hygiene in the public schools, which was referred to the Committee on Education without reading.

Senators Hoover, Bryant, Ensley, Weir, and Johnson presented like petitions on the same subject, which were referred to the same committee without reading.

Senator Moon presented a petition on the subject of teaching hygiene. The petition was read and referred to the Committee on Education.

Senate Bill No. 127 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Duncan of Hamilton, Foulke, Huston, Macy, Magee, Moon, Overstreet, Richardson, Smith of Delaware and Youche. Total, 12.

Those voting in the negative were:

Senators Benz, Bryant, Campbell of Hendricks, Day, Drake, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Johnson, Johnston, May, McClure, McCullough, McIntosh, Peterson, Rahm, Sellers, Shively, Smith of Jay, Thompson, Willard and Zimmerman. Total, 25.

The bill failed to pass.

Engrossed Senate Bill No. 161 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Benz, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Foulke, Fowler, Hill, Huston, Johnson, Macy, Magee, Moon, Rahm, Thompson, Youche and Zimmerman. Total, 20.

Those voting in the negative were :

Senators Brown, Bryant, Hilligass, Hoover, Howard, Johnston, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Smith of Jennings, Smith of Jay, Smith of Delaware and Willard. Total, 17.

The bill failed to pass for want of a constitutional majority.

Engrossed Senate Bill No. 178 was read a third time.

Senator McCullough moved that the bill lie on the table.

Carried.

Engrossed Senate Bill No. 183 was read a third time, and on motion was laid on the table.

Engrossed Senate Bill No. 190 was read a third time.

Senator Smith, of Jay, moved to refer the bill to a special committee of one, with instructions to amend.

Carried.

Committee appointed—Senator Foulke.

Engrossed Senate Bill No. 195 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Howard, Huston, Johnson, Johnston, Macy, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Delaware, Thompson, Weir, Willard, Winter, Zimmerman. Total, 34.

Those voting in the negative were:

Senators Benz, Smith of Jennings, Smith of Jay, and Youche.
Total, 4.

The bill passed.

The title was read.

Senator Sellers, from the Committee on Phraseology, etc., to which was referred Senate Bill No. 195, begs leave to recommend that the following words be added to the title of said bill, to wit: "Being section 3531 of the Revised Statutes of 1881."

SELLERS,
Chairman.

Concurred in, and title as amended was adopted as the title of the bill.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 267, to suppress the stealing of horses and mules; also, House Bill No. 322, authorizing the State Prison Directors North to dispose of certain lands; House Bill No. 435, concerning the election of Township Trustee. The House has also concurred in Senate amendments to House Bill No. 537, making appropriations for the special session.

H. C. DARNELL,
Clerk.

Senator Foulke from special committee on Engrossed Senate Bill No. 190, made a report that he had amended said bill as recommended.

Report concurred in.

The question being on the passage of the bill.

The ayes and noes being called resulted as follows.

Those voting in the affirmative were:

Senators Adkinson, Benz, Campbell of Hendricks, Day, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Hill, Hoover, Huston, Macy, Moon, Overstreet, Peterson, Richardson, Shively, Smith of Jay, Smith of Delaware, Winter and Youche.
Total, 22.

Those voting in the negative were :

Senators Brown, Bryant, Fowler, Hilligass, Johnson, Johnston, McClure, McCullough, McIntosh, Rahm, Smith of Jennings, Thompson, Weir, Willard and Zimmerman. Total, 15.

So the bill failed for want of a constitutional majority.

The President announced that he had signed Enrolled House Bills No. 65, 537, and 527.

Engrossed Senate Bill No. 226 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Brown, Bryant, Fowler, Hilligass, Hoover, Howard, Macy, Moon, McCullough, McIntosh, Peterson, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Youche and Zimmerman. Total, 19.

Those voting in the negative were :

Senators Adkinson, Benz, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ensley, Hill, Huston, Johnson, Johnston, Magee, McClure, Overstreet, Sellers, Smith of Delaware, Thompson and Winter. Total, 18.

So the bill failed to pass on account of a constitutional majority.

Engrossed Senate Bill No. 204 was read a third time and put upon its passage.

Senator Sellers, from the Committee on Phraseology, etc., made the following report :

MR. PRESIDENT :

Your Committee on Phraseology, Title and Arrangement of Bills have examined Engrossed Senate Bill No. 204, introduced by Senator Campbell, of Hendricks, and beg leave to recommend the following changes, to wit: Strike out the word "county," in line 2 of page 3.

Strike out the word "to," after the word "derived," in line 17 of page 9, and insert in lieu thereof the word "by."

Strike out the word "county," in line 7 of page 12, after the word "the," in line 3 of page 15, and insert the words "report of the."

Strike out the word "county," in line 18 of page 18.

Strike out the word "county," in line 10 of page 22.

In line 15, on page 24, strike out the word "Board" and insert in lieu thereof the word "action." Immediately following the word "action," and before the word "to," in line 16 on same page, insert the following: "And it shall be the duty of such Board of Directors in order."

SELLERS,
Chairman.

Report concurred in.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Magee, May, Moon, McClure, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Delaware, Thompson, Winter, Youche and Zimmerman. Total, 33.

Those voting in the negative were:

Senators McCullough, Overstreet and Willard. Total, 3.

So the bill passed.

The title as read was adopted.

Senator Willard presented the following communication:

MR. PRESIDENT:

The undersigned chairmen of the Committees on Finance, Education, Claims, Railroads, Reformatory Institutions, hereby appoint W. J. Turpen Clerk of said group of committees.

JAMES H. WILLARD,
Finance.

FRANCIS JOHNSON,
Education.

RUFUS MAGEE,
Railroads.

D. MCCLURE,
Benevolent Institutions.

MORGAN WEIR,
Claims.

On motion of Senator Johnson, the pay of the Clerk is to commence from March 25, 1885.

Engrossed Senate Bill No. 287 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hoover, Huston, Johnston, Macy, Magee, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche, and Zimmerman. Total, 35.

Senator Willard voted in the negative.

So the bill passed.

The title as read was adopted.

Senator Youche introduced Senate Bill No. 370, entitled:

A bill for an act to provide for surety companies, etc.

Read a first time and referred to a special committee of five.

Committee appointed were Senators Youche, Winter, Fowler, Johnston, and Zimmerman.

Senator Youche introduced Senate Bill No. 371, entitled:

A bill for an act to authorize surety companies to sign official and other bonds, etc.

Read first time and referred to special committee of five.

Committee: Senators Youche, Winter, Fowler, Johnston, and Zimmerman.

On motion of Senator Sellers, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

MARCH 25, 1885.

Senate met in special session at 9:30 o'clock, with Senator Magee in the chair.

Opened with prayer by the Rev. Mr. Staley of the House of Representatives.

The journal was read in part, and, on motion of Senator Shively, the further reading was dispensed with.

Senator Faulkner presented a memorial from the Western Christian Association.

Which was read and referred to the Committee on Temperance.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 92, concerning the liability of companies and corporations.

Also, Senate Bill No. 131, to legalize the Zionsville and Pike Township Gravel Road.

And the same are herewith transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

Engrossed Senate Bill No. 274 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Macy, Magee, May, Moon, McClure, McIntosh, Null, Over-

street, Peterson, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, and Zimmerman. Total, 39.

No one voting in the negative.

So the bill passed.

The title was read and referred to the Committee on Phraseology.

Engrossed Senate Bill No. 299 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Foulke, Fowler, Hoover, Huston, Johnston, Macy, Magee, May, Moon, McClure, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Faulkner, Hill and McIntosh. Total, 3.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 305 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnston, Macy, Magee, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Youche and Zimmerman. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

The chair presented a communication from the State Board of Health, which was referred to the Committee on Public Health and Vital Statistics.

Engrossed Senate Bill No. 318 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Macy, Magee, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 36.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Weir moved that the regular order of business be suspended, and take up Engrossed House Bills on third reading.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bryant, Davis, Ernest, Fowler, Hilligass, Moon, Richardson and Weir. Total, 8.

Those voting in the negative were:

Senators Adkinson, Benz, Brown, Campbell of Hendricks, Day, Drake, Ensley, Faulkner, Foulke, Hill, Hoover, Huston, Johnston, Macy, Magee, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Sellers, Smith of Jennings, Smith of Jay, Smith of Randolph, Willard, Youche and Zimmerman. Total, 29.

So the motion was lost.

Engrossed House Bill No. 87 was read a first time and referred to the Committee on Agriculture.

Engrossed House Bill No. 71 was read a first time and was referred to the Committee on Agriculture.

Engrossed House Bill No. 184 was read a first time and referred to the Committee on Roads.

Engrossed House Bill No. 267 was read a first time and was referred to the Committee on Agriculture.

Engrossed House Bill No. 291 was read a first time and was referred to the Committee on Military.

Engrossed House Bill No. 384 was read a first time and referred to the Committee on Cities and Towns.

Engrossed House Bill No. 322 was read a first time and referred to the Committee on Rights and Privileges.

Engrossed House Bill No. 314 was read a first time and referred to the Committee on Labor and Labor Statistics.

Engrossed House Bill No. 372 was read a first time, and Senator Drake moved that the constitutional rule be suspended and Engrossed House Bill No. 372 be read a second time by title, a third time by sections, and put upon its passage.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Macy, Magee, May, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter and Youche.
Total, 35.

Those voting in the negative were :

Senators Brown, Day, Faulkner and Willard. Total, 4.

So the constitutional rule was suspended.

Engrossed House Bill No. 372 was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Macy, Magee, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Willard, Winter, Youche and Zimmerman. Total, 37.

No one voting in the negative.

So the bill passed.

The title was referred to the Committee on Phraseology.

Engrossed House Bill No. 435 was read a first time and referred to the Committee on County and Township Business.

Engrossed House Bill No. 317, was read a first time, and on motion, passed to a second reading without reference.

Senator Smith, of Jay, moved to recommit Senate Bill No. 226, to a special committee of one.

Carried.

Committee appointed—Senator Smith, of Jay.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Bill No. 165.

That the House has passed House Bill No. 406, concerning the sale of the Revised Statutes.

And, Senate Bill 296, changing the time of holding courts in the Second Judicial Circuit.

H. C. DARNELL,
Clerk.

Engrossed House Bill No. 11 was read a second time and re-committed to Committee on Insurance.

Senator McCullough made a majority and minority report from Committee on Judiciary on Engrossed House Bill No. 170. Majority report recommend the bill to lie on the table. The minority, with amendments, recommending that the bill do pass.

Engrossed House Bill No. 16 was read a second time.

Senator Foulke offered the following amendment to House Bill No. 16:

MR. PRESIDENT:

I move to amend House Bill No. 16, as follows:

A bill for an act relating to the study of physiology and hygiene in the public schools.

Section 1. *Be it enacted by the General Assembly of the State of Indiana*, The proper local school authorities shall, on and after September 1, 1885, require all pupils in all schools, supported by public money, or under State control, to study, as a regular branch, physiology and hygiene which shall give special reference to the effects of alcoholic drinks, stimulants, and narcotics upon the human system.

On motion of Senator Foulke, the Senate adjourned.

AFTERNOON SESSION.

MARCH 25, 1885.

Senate met at 2 o'clock, with Lieutenant Governor Manson in the chair.

Senator McCullough asked leave of absence for the Judiciary Committee for the evening.

Granted.

Senator Ernest, from Committee on Swamp Lands, made a report on Engrossed House Bill 397, with amendments, and recommending that the bill pass.

Senator Thompson, from the Committee on Cities, made a report on Engrossed House Bill No. 312, with amendments, recommending that when so amended that the bill do pass.

The President presented a communication from the soldiers of the State, which was referred to the Committee on the Judiciary.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 71, to legalize the sale of certain real estate.

Also, House Bill No. 518, to prohibit forced contributions of money by corporations.

Also, House Bill No. 75, in relation to turnpikes, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL.

Senator Smith, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 22 with Enrolled Senate Act No. 22, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 131 with Enrolled Senate Act No. 131, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President of the Senate announced that he had signed Senate Enrolled Acts Nos. 22 and 131, and House Enrolled Act No. 165.

The question being on Senator Foulke's amendment to Engrossed House Bill No. 16.

The same was adopted.

Senator Foulke moved that the amendment be engrossed.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Ensley, Faulkner, Foulke, Hill, Hilligass, Hoover, Huston, Macy, Marshall, Moon, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Delaware, Winter and Youche. Total, 24.

Those voting in the negative were :

Senators Benz, Brown, Bryant, Duncan of Brown, Ernest, Fowler, Howard, Johnson, Johnston, Magee, May, McClure, McCullough, Rahm, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 21.

So the motion carried and the bill ordered engrossed.

Engrossed House Bill No. 322 was taken from the Committee on Rights and Privileges and referred to a special committee of five.

Committee appointed was Senators Youche, Drake, May, Richardson and Hoover.

Senator Howard, from the Committee on Military Affairs, made a report on Senate Bill No. 346, recommending that the same do pass.

Senator Howard moved that the constitutional rule be suspended and that Senate Bill No. 346 be read a second time by title, considered engrossed, read a third time by sections and put upon its passage.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bryant, Campbell of Hendricks, Davis, Day, Drake, Ensley, Hill, Hilligass, Hoover, Howard, Huston,

Macy, Magee, Marshall, May, Moon, McClure, Overstreet, Peterson, Richardson, Smith of Jay, Smith of Delaware, Thompson, Willard and Youche. Total, 26.

Those voting in the negative were :

Senators Benz, Brown, Duncan of Brown, Ernest, Faulkner, Johnston, McIntosh, Rahm, Shively, Sellers and Zimmerman. Total, 11.

The constitutional rule was not suspended.

Senator Smith, of Jay, from the special committee of one on Senate Bill No. 226, made the following report :

MR. PRESIDENT:

Your special committee of one, to whom was referred Senate Bill No. 226, with instructions to amend, have had under consideration the bill, and I herewith return the same amended in accordance with the instructions, to wit: By striking out line four, of page three of the Engrossed Bill.

Concurred in.

Engrossed Senate Bill No. 173 was called up by Senator Marshall, read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Benz, Campbell of Hendricks, Davis, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Hoover, Huston, Macy, Magee, Marshall, Moon, Overstreet, Peterson, Smith of Jay, Smith of Delaware, Thompson, Youche and Zimmerman. Total, 21.

Those voting in the negative were :

Senators Brown, Bryant, Day, Ernest, Faulkner, Hilligass, Howard, Johnson, Johnston, McClure, McIntosh, Richardson, Sellers, Shively and Willard. Total, 15.

So the bill did not pass for want of a constitutional majority.

Engrossed House Bill No. 117 was read a second time.

Senator Youche, from special committee, made the following report on House Bill No. 222:

MR. PRESIDENT:

Your special committee to which was referred Engrossed House Bill No. 222, having had the same under consideration, begs leave to recommend that said bill be amended as follows, amendments embodied:

Insert the word "drainage" before the word "commissioner" in line 18 of page 2 of said bill. Strike out lines 4, 5, and 6 and the word "duties" in line 7 of page 4; insert the word "drainage" before the word "commissioner" in line 12, and strike out the words "of drainage" in line 13 of page 4. Strike out the words "two or more owners of separate and distinct tracts of" in lines 19, of page 4 and 1 of page 5, and insert in lieu thereof, "any owner or owners of any," and after the word "distinct" in said line 1, page 5, insert the words "tract or." Insert the words "one of" in line 13 of page 8, before the word "the." Insert after the word "thereof" in line 1 of page 9 the following: "and they shall give the owner or occupant of each tract of land described in said petition, who is a resident of the county or counties in which said land is situated notice thereof, by serving upon such owner or occupant a written or printed notice, setting forth the route of such drain as described in the petition, the fact of the filing and pendency of such petition and when the same shall be docketed, which notice may be served by petition or petitions, or which notice may be served by them, in the same manner as summons are served in civil cases. The service of such notice upon the station agent of any railroad company in the county in which the proceedings are instituted shall be sufficient notice to such railroad company, and in case there be no agent of such railroad in the county such company shall be notified in the same manner as other non-resident land owners, and as to all owners of lands to be effected by such proposed drainage who at the time of filing the petition are non-residents of the county or counties in which the lands to be effected are situated, notice of the filing, pendency and time fixed for docketing of said petition shall be given by posting up written or printed notices thereof at three public places in each township where the lands described in said petition are situated and near the

line of the proposed work, and one at the door of the court house of each of the counties in which said lands are situated, which notices shall be similar in form to those required to be served on resident land owners." Strike out lines 5, 6, 7, 8, 9, 10, 11, 12, and the words "lands are situated" in line 13 of page nine (9), and insert in lieu thereof the following: "services of notice upon resident land owners and by posting of notices as above provided."

Strike out all of page 9 after the word "same," in line 16, and strike out all of page 10 before the words "the court," in line 19. Insert the word "drainage" before the word "commissioner," in line 12, page 11, and strike out the words "of drainage" in line 13 of said page. Insert the words "demurrer of objection" after the word "remonstrance," in line 2, of page 12. Strike out of line 7 and 8, of page 12, the words "the same day which may be done," and insert in lieu thereof the words "within a time fixed by the court." Strike out of lines 10 and 11, page 12, the words "a majority," and insert in lieu thereof the words "two-thirds." Strike out line 7 of page 13, and insert in lieu thereof the words "Drainage Commissioners." Insert the word "drainage" before the word "commissioners," in line 14 of page 13. Strike out of lines 12 and 13 of page 14, the words "commissioner of drainage," and insert the words "Drainage Commissioners." Strike out the words "a" in line 4, and "copy" in line 5 of page 15. Strike out of line 9 of page 17, the word "evacuation," and insert in lieu thereof the word "excavation." Strike the word "therein" out of line 14 on page 17. Strike out of line 8, page 17, the word "measures," and insert the word "methods." Strike out the word "by" in line 3 of page 20; also, lines 4, 5, 6, 7, 8, 9, 10, 11, and the word "work" in line 12, and insert in lieu thereof the following: "in the same manner as is herein required to be given of the filing and docketing of the petition." Strike out lines 14, 15, 16, 17, 18 and 19 of page 20. Also, strike out lines 1, 2, 3, 4, 5, 6, 7, and the words "such report" in line 8 of page 21. Strike the word "fifteen" out of line 3 on page 22, and insert in lieu thereof the word "ten." Insert after the word "damaged," in line 10, page 23, the words "specifying the same." Insert after the word "tracts" in line 13, page 23, the words "specifying the same." Insert the word "report" after the word "petition," in line 14, page 26. Strike out of line 15, page 26, the word "or;"

also, all of line 16, and the words "at law" in line 17 of said page, and insert in lieu thereof the words "without a jury." Insert after the word "confirmed," in line 4, page 29, the words "and the order of confirming shall be final and conclusive." Insert in line 14, page 28, after the word "equalized," the words "or made."

Strike out of line 8, page 29, the word "and" and insert the word "or."

Strike out lines 12, 13, 14 and the word "work" in line 15, page 31.

Strike out of line 14, page 32, the word "final."

Strike out the word "either" in line 16, and all following it of page 32, and insert in lieu thereof the following, to wit: "The trial shall be by the Court without a jury."

Strike out the word "assess" in line 5 of page 35, and all of lines 6, 7 and 8 of said page, and insert in lieu thereof the following: "collect of the assessments of benefits reported by the Drainage Commissioners and."

Strike out the word "in," line 19, page 36, and all following it to the word "by" in line 8, page 36.

Strike out of lines 14 and 15, page 36, the words "such payments may be made," and insert "all such installments shall be payable."

Strike out the words "so much thereof," in lines 2 and 3, page 38.

Strike out the word "who" in line 6, page 38, and insert the words "such contractor."

Strike out the words "without notice," in line 10, page 39, and insert "first giving ten days' notice by publication in a newspaper published in the county in which that part of such work lies."

Strike out the word "assessment" in line 15, page 39, and insert the word "contract."

Strike out the words "person in" in line 19, page 39, and the words "charge of the work" in line 1, page 40, and insert in lieu thereof the words "court establishing said work."

Insert after the word "him" in line 11, page 40, the following: "or who shall have successfully bid for."

Strike out the words "by him" in line 9, page 41, and insert in lieu thereof the following: "or such part thereof as may be by him deemed necessary for the purposes herein mentioned."

Strike out the words "Commissioners of Drainage" in lines 16 and 17 of page 41, and insert "Drainage Commissioners."

Strike out the words "by him" in line 2 of page 42.

Insert after the word "laws" in line 6 of page 42 the following: "and shall include a reasonable attorney fee for prosecuting said suit; but such judgment shall not be a lien on any other real estate belonging to the owner of such tract, nor shall any other property than the lands so assessed be sold to satisfy such judgment, and lands sold upon any such judgment or decree may be redeemed at any time within one year from the date of such sale, in the same manner as is provided by law for the redemption of real estate sold on execution."

Insert after the word "therein" in line 11, page 43, the words "or lien thereon."

Insert after the end of line 7, page 43, the following words, to wit: "made by the measurer of any county."

Strike out the word "three" in line 14, page 43, and insert in lieu thereof the word "two."

Strike out the word "eight" in line 2, page 44, and insert the word "fifteen."

Add to section 6, line 2, page 48, the following: "This provision shall apply to all Drainage Commissioners in charge of work established under any former law of this State."

Strike out the word "civil" in line 18, page 49. Add to section 7 the following: "All laborers and other persons who shall hereafter perform any labor or furnish any materials in the construction of any work under the provisions of this act, shall have a lien upon the fund raised for the payment of the same, and upon notice in writing filed with the person whose duty it shall be to pay out such fund, of the amount due and what the same is for, such person shall withhold payment to the contractor for such work to an amount sufficient to satisfy such lien, until the same is adjusted and paid; and in case of disagreement between the contractor and the person claiming such lien as to the amount or validity thereof, the Court ordering the construction thereof shall, upon motion of the commissioners, the contractor, or the person claiming such lien, determine such matter, and upon failure to comply with the above provisions such person in charge of such work shall be liable on his bond for the amount improperly paid over to such contractor."

Insert the words "and final" after the word "conclusive," in line 12, on page 51.

Strike out the words "Commissioners of Drainage" in lines 3 and 4, page 53, and insert "Drainage Commissioners."

Strike out the word "and" in line 12, page 54, and insert the word "or."

Strike out the words "depth and slope" in line 4 of page 55, and insert "and depth."

Insert in line 9, page 62, after the word "assessments" the following words: "And shall thereafter be collected as other State and county taxes are collected."

Strike out the word "around" in line 16, page 61, and insert in lieu thereof the word "assessed."

Add to section 11 the following: For his services under the tenth section the surveyor shall receive as compensation the sum of three dollars per day for the time he may be actually employed in and above such work."

And that when said bill is so amended that the same do pass.

MAGEE,
YOCHE,
OVERSTREET,
SELLERS,
ERNEST.

Report concurred in.

Senator Youche moved that the amendments be engrossed and that the bill, as amended, be printed and made the special order for 2 o'clock to-morrow.

Carried.

Engrossed House Bill No. 225 was read the second time.

Engrossed House Bill No. 231 was read the second time, with the following report of the committee:

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Engrossed House Bill No. 231, by Representative Dunn, for an act to amend section 20 of an act entitled "an act concerning high-

ways and Supervisors," etc., have had the same under consideration, and a majority of the committee direct me to report the following amendment :

Strike out all after the word "that" in line 13 of page 3 and before the word "may" in line 16 of same page, and insert in lieu thereof the words "one-fourth of such levy."

And the committee recommend that said bill, as so amended, do pass.

C. JOHNSTON,
Chairman.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 25, 1885.

To the Honorable, the President of the Senate :

By the direction of the Governor, I have the honor to inform the Senate that he has received, approved and signed Senate Enrolled Acts Nos. 22 and 131, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

Engrossed House Bill No. 239 was read the second time, with the report of the committee.

Engrossed House Bill No. 402 was read the second time, together with the following report of the committee:

MR. PRESIDENT :

Your Committee on Organization of Courts, to whom was referred House Bill No. 402, have had the same under consideration, and a majority of said committee direct me to return the bill with the recommendation that the same be amended by striking out the words "forty-eight" wherever it occurs in said bill, and in lieu thereof insert "forty-ninth," and when so amended we recommend the bill do pass.

SMITH, of Jay,
Chairman.

Report concurred in.

Engrossed House Bill No. 33 was read the second time, together with the following report of the committee.

MR. PRESIDENT:

Your Committee on Roads, to whom was referred Engrossed House Bill No. 33, introduced by Representative Boyd, report that we have had the same under consideration and beg leave to submit the following report: That section 1 of said act be amended by striking out the word "shall" in line 47 and insert in lieu thereof the words "may in their discretion." That when so amended the same do pass.

C. JOHNSTON,
Chairman.

The report was adopted.

Engrossed House Bill No. 170 was read the second time, together with the following majority and minority reports:

MR. PRESIDENT:

Your Committee on the Judiciary, to whom was referred Engrossed House Bill No. 170, having had said bill under consideration a majority of the committee recommend that said bill do lie on the table.

J. E. McCULLOUGH,
Chairman.

MR. PRESIDENT:

The Committee on the Judiciary, to whom was referred Engrossed House Bill No. 170, having had said bill under consideration, and a majority of the committee having recommended that the bill do lie on the table, the undersigned, a minority of the committee, recommend that section three of said bill be amended by adding thereto the following: *Provided, however,* That if the punishment of the principal may be the death penalty or imprisonment for life, the punishment of the accessory after the fact in such case, shall not, in addition to the penalties other than imprisonment that may be inflicted upon the principal, extend to imprisonment for a longer period than ten years: *And provided further,* That in no case shall an accessory after the fact be sentenced to imprisonment for a longer term than ten years, and when so amended, your minority recommend that said bill do pass.

F. WINTER,
W. D. FOULKE.

On motion, the majority report was concurred in.

Engrossed House Bill No. 38 was read a second time, together with the following report of the committee:

MR. PRESIDENT :

Your Committee on Benevolent and Reformatory Institutions, to whom was referred House Bill No. 38, introduced by Representative Deem, for an act entitled an act defining what class of persons may be admitted to the Indiana Soldiers' and Orphans' Home, and the order in which applicants shall be admitted, and repealing conflicting laws, have had the same under consideration and have directed me to report it back, and recommend its passage.

McCLURE,
Chairman.

On motion of Senator Willard the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

MARCH 26, 1885.

Senate met in special session at 9:30 o'clock, with Senator Magee in the chair.

Opened with prayer by the Rev. Mr. Townsend, of the House of Representatives.

The journal was read in part, and on motion of Senator Ernest the further reading was dispensed with.

Senator Peterson introduced Senate Bill No. 372, entitled :

An act to amend an act entitled, an act concerning taxation, approved March 29, 1881.

Which was read a first time, and referred to the Committee on Agriculture.

Senator Overstreet, from the Special Committee on Senate Bill No. 334, made the following report:

MR. PRESIDENT:

The majority of your special committee to whom was referred Senate Bill No. 334, introduced by Senator Thompson, beg leave to report that they have had the same under consideration, and recommend that section one of said bill be amended by striking out the words "seventeen hundred dollars" and inserting in lieu thereof "thirteen hundred dollars," and by adding to said section these words, "and the warrant therefor shall be drawn payable to General M. D. Manson, President of the Senate, and the money by him received thereon sent by draft to the said Mathew M. Campbell, and that said bill when so amended do pass."

OVERSTREET,
SMITH, of Delaware.

Concurred in.

Senator Weir introduced Senate Bill No. 373, entitled:

An act to create an Appellate Court and define its jurisdiction and procedure and declaring an emergency, which was read a first time and referred to a special committee consisting of Senators Weir, McCullough, Foulke, Magee and Willard.

Senator Fowler from the conference committee on House Concurrent Resolutions Nos. 21 and 26, made the following report:

MR. PRESIDENT:

The undersigned members of the conference committee to whom was referred House Concurrent Resolution Nos. 21 and 26 in relation to items of costs of the Grand Hotel, and of Henry R. Fry, Doorkeeper of the House of Representatives, incurred in the Knightstown investigation, respectfully report:

The House recedes from its original resolution allowing Henry R. Fry \$459.77, and the Senate recedes from its amendments cutting down the allowance to the Grand Hotel from \$66 to \$42, and the allowance to Henry R. Fry, from \$459.77 to \$186.20, and the committee unanimously recommend that the proprietors of the Grand Hotel be allowed the sum of sixty-six

dollars in full for rent of room No. 43, used and occupied by the committee in conducting said investigation, and we further recommend the payment to Henry R. Fry, Doorkeeper, of two hundred and ten dollars in full for his services and expenses incurred in subpoenaing witnesses before and for his attendance upon said committee of investigation.

Respectfully submitted,

INMAN H. FOWLER,
W. J. DAVIS,
Committee of the Senate.

J. R. MAUK,
CHARLES KELLISON,
Committee of House.

The report was concurred in.

Senator Marshall offered the following resolution :

MR. PRESIDENT :

I offer the following resolution :

WHEREAS, It appears that Indiana has at last been recognized and a Democrat has secured the appointment as postmaster at Greencastle; therefore,

Resolved, That the Senate do now adjourn until 9 o'clock to-morrow.

MARSHALL.

Senator Smith, of Jay, moved to lay the resolution on the table.

Carried.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, presented the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 71 and 269, with Enrolled Acts Nos. 71 and 269, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 104, concerning breeders of horses and mules, Senate Bill No. 364, fixing the time of holding Court in the Forty-sixth Judicial Circuit, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

The Chair announced that he had signed Enrolled Acts Nos. 71 and 269.

Engrossed House Bill No. 6, with Senate amendments, was read a third time.

Senator Smith, of Jay, moved to recommit the bill to a special committee of one, with instructions to strike out the emergency clause and report at once.

Senator Hilligass moved to amend and have committee also instructed to add to the bill the following words: Amend section 1 by inserting in line 7, before "ball," the word "base," and after the word "on," "or where any fee is charged or when any reward, or prize, or profit, or article of value is depending upon the result of such game."

Senator Campbell, of St. Joseph, moved to strike out of the amendment the word "base."

Lost.

The question being on Senator Hilligass' amendment.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bryant, Day, Duncan of Brown, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, McClure, McCullough, Peterson, Rahm, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir, Youche and Zimmerman. Total, 24.

Those voting in the negative were:

Senators Benz, Brown, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Ensley, Faulkner, Macy, Marshall, May, Moon, McIntosh, Overstreet, Richardson, Shively, Smith of Delaware, Willard and Winter. Total, 19.

So the amendment was adopted.

The question being on Senator Smith's amendment as amended, the same was adopted.

Senator Hilligass moved to concur in the House amendments to Senate Bill No. 364.

Carried.

Engrossed House Bill No. 7 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Johnston, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Shively, Smith of Jay, Smith of Randolph, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 35.

Those voting in the negative were:

Senators Davis and Smith of Jennings. Total, 2.

The bill passed.

The title was read and referred to the Committee on Phraseology.

Senator Weir moved that the special committee on Appellate Court Bill be permitted to retire for a time.

Carried.

Senator Magee introduced Senate Bill No. 374, entitled:

A bill relating to keeping stallions, etc.

Read first time and referred to Committee on Agriculture.

Engrossed House Bill No. 16 was read a third time.

Senator Foulke moved that the bill be postponed until next reading of House Bills.

Senator Hilligass moved to amend and postpone indefinitely.

Withdrawn.

Senator Smith, of Jay, moved to amend by postponing the bill indefinitely.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Hilligass, Howard, Johnson, Johnston, Magee, May, McClure, McCullough, Rahm, Sellers, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 22.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Macy, Marshall, Moon, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Delaware, Winter and Youche. Total, 20.

So the motion to indefinitely postpone the bill was carried.

Senator Magee moved the reconsideration of vote, and moved to lay that motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Duncan of Brown, Ernest, Faulkner, Fowler, Howard, Johnson, Johnston, Magee, May, McClure, McCullough, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 23.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Ensley, Foulke, Hill, Hilligass, Macy, Marshall, McIntosh, Overstreet, Richardson, Smith of Delaware, Winter and Youche. Total, 19.

So the motion prevailed.

On motion of Senator Smith of Jay the Senate adjourned.

AFTERNOON SESSION.

MARCH 26, 1885.

Senate met at 2 o'clock p. m., with Senator Magee in the chair.

The following messages were received from the House of Representatives :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 543, providing compensation to County Treasurers for collecting delinquent taxes, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in the report of the conference committee to House Concurrent Resolutions Nos. 27 and 26.

That the House has passed House Bills Nos. 473 and 168.

Also, that the House has passed House Concurrent Resolution No. 5, in relation to the death of Hon. W. W. Browning, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Duncan, of Brown, moved to take up House Concurrent Resolution No. 5, in regard to the death, etc., of W. W. Browning, late Representative, and concur in the same.

Carried.

House Concurrent Resolution No. 5 was read.

And on motion of Senator Duncan, of Brown, was concurred in.

Engrossed House Bill No. 35 was read a third time, and on motion of Senator Benz, the bill was laid on the table for the present.

Senator Overstreet, from special committee on House Bill No. 6, made the following report :

MR. PRESIDENT :

Your committee of one, to whom was referred House Bill No. 6, with instructions, respectfully submits the following report: In conformity with such instruction amend section 1 by inserting in line 7, before the word "ball" the word "base."

After the word "ball," in line 7, insert the words "where any fee is charged, or where any reward, or prize, or profit, or article of value, is depending upon the result of such game."

Also, amend the bill by striking out section 2 of the bill.

OVERSTREET.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Bryant, Duncan of Brown, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Johnson, Magee, McClure, McCullough, Peterson, Schloss, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir, Youche and Zimmerman. Total, 23.

Those voting in the negative were :

Senators Adkinson, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Faulkner, Johnston, Macy, Marshall, May, Moon, McIntosh, Overstreet, Rahm, Richardson, Shively, Smith of Delaware, Willard and Winter. Total, 22.

The report was concurred in.

Senator Fowler moved that the amendments be considered engrossed.

Carried.

The question being on the passage of the Engrossed House Bill No. 6.

The question being, Shall the bill pass ?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ens-

ley, Faulkner, Foulke, Fowler, Macy, Marshall, May, Moon, McCullough, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Jay, Smith of Delaware, Thompson, Willard, Winter, and Youche. Total, 29.

Those voting in the negative were:

Senators Benz, Ernest, Hill, Hilligass, Hoover, Howard, Johnson, Johnston, Magee, McClure, Rahm, Schloss, Sellers, Smith of Jennings, Weir, and Zimmerman. Total, 16.

So the bill passed.

Title read and referred to Committee on Phraseology.

Senator Willard moved to reconsider the vote on House Bill No. 6, and lay that motion on the table.

Carried.

Senator Faulkner, from the special committee on Senate Bill No. 172, presented the following majority and minority reports:

MR. PRESIDENT:

Your special committee, to whom was referred House Bill No. 172, would respectfully report that they have had the same under consideration, and a majority of said committee direct me to report the same back to the Senate with the recommendation that the same do pass.

C. R. FAULKNER,
FRED. HOOVER,
SILAS PETERSON.

MR. PRESIDENT:

The undersigned members of the special committee, to whom was referred House Bill No. 172, have had the same under consideration, and for the reason that the laws in force concerning gaming, etc., substantially covers all the provisions of said bill, we report the same back with the recommendation that the same be indefinitely postponed.

A. G. SMITH,
FOULKE.

Senator Faulkner moved to adopt the majority report.

Senator Smith, of Jennings, moved to amend by substituting the minority for the majority report.

Senator Willard moved to recommit House Bill No. 172 to a select committee of three.

Carried.

Committee appointed, Senators Willard, Youche, and Winter.

House Bill No. 222 was made a special order for to-morrow at 9:30 o'clock.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report on Engrossed Senate Bill No. 364:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 364 with Enrolled Senate Act No. 364, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Howard moved to take up Senate Bill No. 171 from the table.

Carried.

Engrossed Senate Bill No. 171 was put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Brown, Campbell of St. Joseph, Day, Hilligass, Howard, Magee, McClure, McCullough, Peterson, Sellers, Smith of Jennings, Smith of Jay, Weir and Willard. Total, 15.

Those voting in the negative were:

Senators Benz, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Johnston, Macy, Marshall, Moon, McIntosh, Null, Overstreet, Rahm, Richardson, Winter, Youche and Zimmerman. Total, 22.

So the bill failed to pass.

The President announced that he had signed Enrolled Senate Act No. 369.

On motion of Senator Willard, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

MARCH 27, 1885.

The Senate met in special session at 9:30 o'clock, with Lieutenant Governor Manson in the chair.

The session was opened with prayer by the Rev. Mr. Roberts.

The journal was read in part, and, on motion of Senator Weir, the further reading was dispensed with.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 480, providing means for the erection of the new State House.

Also, that the House has amended Senate Bill No. 368, in relation to voluntary associations.

And the same are herewith transmitted to the Senate for its action.

H. C. DARNELL,
Principal Clerk.

Senator Willard moved to take up House Bill No. 480.

Carried.

Engrossed House Bill No. 480 was read a first time, and on motion of Senator Willard, referred to the Finance Committee, with instructions to report the bill back to-morrow morning at 10 o'clock.

Senator Magee moved to amend and have the Finance Committee return bill immediately and the same be made a special order for this afternoon at 2 o'clock.

Lost.

Senator Weir, from the Committee on Claims, made the following report on Concurrent Resolution No. 1:

MR. PRESIDENT:

Your Committee on Claims, to whom was referred Concurrent Resolution No. 1, being a resolution for the payment of the expenses of the Prison Committee in visiting the prisons North and South, report that we have had the same under consideration, and recommend payment be made and allowed as follows:

Frederick Hoover	\$10 00
C. R. Faulkner	10 00
Lycurgus Null	10 00
John W. Lindley	5 00
Marvin Campbell	10 00
Andrew Marshall	10 00
John Benz	10 00

M. H. WEIR,
Chairman.

Senator Campbell, of St. Joseph, moved that the consideration of the report be indefinitely postponed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Campbell of St. Joseph, Day, Faulkner, Hill, Null, Peterson and Richardson. Total, 8.

Those voting in the negative were:

Senators Adkinson, Brown, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Foulke, Fowler, Hilligass, Huston, Johnston, Macy, Magee, May, Moon, McClure, McCullough, McIntosh, Overstreet, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 35.

So the motion was lost.

Senator McCullough offered the following motion :

MR. PRESIDENT :

I move to recommit the resolution with instructions to ascertain what the expense is for, that is, whether for railroad fare or hotel fare, or for both, or for what it is claimed that the expenses mentioned in the resolution were.

The ayes and noes being demanded and taken, resulted as follows:

Those voting in the affirmative were :

Senators Benz, Brown, Campbell of St. Joseph, Faulkner, Hill, McCullough, McIntosh, Null, Peterson, Sellers, Thompson. Total, 11.

Those voting in the negative were :

Senators Adkinson, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Howard, Huston, Johnston, Macy, Magee, May, Moon, McClure, Overstreet, Rahm, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Willard, Winter, Youche, Zimmerman. Total, 32.

So the motion was lost.

The question being on the adoption of the resolution as amended by the Committee on Claims.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Howard, Huston, Johnston, Macy, May, Moon, McClure, Overstreet, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 36.

Those voting in the negative were :

Senators Faulkner, Hill, McCullough, McIntosh, Null, and Peterson. Total, 6.

So the motion was carried.

Senator Weir, from the Committee on Claims, made the following report on House Concurrent Resolution No. 28:

MR. PRESIDENT :

Your Committee on Claims, to whom was referred House Concurrent Resolution No. 28, being a resolution for the payment of \$250 to the Pettibone Manufacturing Company for furnishing a State flag, as per concurrent resolution of this Legislature, report that we have had the same under consideration, and recommend that the same do pass.

M. H. WEIR,
Chairman.

Report concurred in and resolution adopted.

Leave of absence was granted Senator Null until Monday morning.

Senator Weir, from the Committee on Claims, made the following report on House Concurrent Resolution No. 27 :

MR. PRESIDENT :

Your Committee on Claims, to whom was referred House Concurrent Resolution No. 27, being a resolution for the payment of \$15 for reporting the evidence taken by the Ways and Means Committee in the matter of the May claim, to Fannie E. Rutter, report that we have had the same under consideration, and recommend that the same do pass.

M. H. WEIR,
Chairman.

Report concurred in and resolution adopted.

Senator Weir, from the Committee on Claims, made the following report on Senate Bill No. 352:

MR. PRESIDENT :

Your Committee on Claims, to whom was referred Senate Bill No. 352, introduced by Senator Foulke, being a bill for the payment of \$225 to Wm. H. Slater for services as Secretary of the Senate at the special session, 1881, for making and publishing in the journals of the Senate a list and index thereto of bills and joint resolutions acted upon during the regular and

special session of 1881, report that we have had the same under consideration, and recommend that there be allowed said claimant the sum of \$200 in full payment for said services.

M. H. WEIR,
Chairman.

Report concurred in.

Senator Foulke moved that the bill be read a third time and put upon its passage.

Carried.

Engrossed Senate Bill No. 352 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendrieks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Foulke, Fowler, Hill, Hilligass, Huston, Johnston, Macy, Magee, Moon, McClure, McCullough, Overstreet, Peterson, Rahm, Richardson, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, and Youche. Total, 34.

Those voting in the negative were:

Senators Ernest, Faulkner, McIntosh, Sellers, Willard, and Zimmerman. Total, 6.

So the bill passed.

The title was read and was referred to the Committee on Phraseology.

The special order being Engrossed House Bill No. 222, the same was taken up.

On motion of Senator Magee the Senate adjourned.

AFTERNOON SESSION.

MARCH 27, 1885.

Senate met at 2 o'clock P. M., with Senator Shively in the chair.

Senator Winter offered the following resolution :

Resolved by the Senate, the House of Representatives concurring,
That the Senate Judiciary Committee be authorized to employ a competent expert to examine and compare the measurements heretofore made of the brick in the Hospital for the Insane, with a view to determine the amount due John Martin by the State, in the investigation of House Bill No. 361.

WINTER.

Adopted.

Senator Campbell, of Hendricks, was called to the chair.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 342, and has directed me to report the same to the Senate for action thereon.

H. C. DARNELL,
Principal Clerk.

The question being on the question as to whether an amendment can be made to the bill, (it being on the third reading) the chair having ruled in the affirmative.

The following appeal was taken from the decision of the chair:

The President of the Senate having decided that Engrossed House Bill No. 222 can be amended on third reading, without recommitting and our objection, the undersigned respectfully appeal from the said decision of the chair.

E. B. SELLERS.
J. W. YOUCHER.

The question then being as to whether the ruling of the chair should be sustained.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Campbell of St. Joseph, Drake, Foulke, Hill, Macy, Magee, McClure, Overstreet, Smith of Jennings, Smith of Jay, Willard and Winter. Total, 12.

Those voting in the negative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Davis, Day, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hilligass, Huston, Johnson, Johnston, Marshall, May, Moon, McCullough, McIntosh, Null, Peterson, Richardson, Sellers, Shively, Smith of Delaware, Thompson, Weir, Youche and Zimmerman. Total, 31.

So the decision of Chair was not sustained.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,

INDIANAPOLIS, March 27, 1885.

To the Honorable, the President of the Senate:

By the direction of the Governor, I have the honor to inform the Senate that on yesterday he received, and to-day approved and signed Senate Enrolled Acts Nos. 71, 269 and 364, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,

Private Secretary.

Engrossed House Bill No. 222 was read a third time.

Senator Weir moved that discussion of this bill close at 10:30 o'clock to-morrow A. M.

Senator Hilligass moved to lay the motion on the table.

Carried.

Senator Foulke moved that the Senate do now adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Duncan of Hamilton, Foulke, Fowler, Magee, May, Overstreet, Smith of Delaware, and Youche. Total, 9.

Those voting in the negative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Hill, Hilligass, Huston, Johnston, Macy, Moon, McCullough, McIntosh, Null, Peterson, Richardson, Sellers, Shively, Smith of Jay, Thompson, Weir, Willard, Winter, and Zimmerman. Total, 32.

So the motion was lost.

Senator Willard moved to set bill No. 222 down for special order at 9:30 o'clock to-morrow morning.

Senator Weir moved to amend by making the bill a special order for 9:39 o'clock to-morrow morning, and that no vote shall be taken before Monday at 2 o'clock P. M.

Which amendment was accepted by Senator Willard.

Senator Hilligass moved that the Senate adjourn.

Not carried.

The question being on the motion of Senator Willard as amended, the same was carried.

Senator Foulke, on behalf of the chairman of the Committee on Education, made a report on Engrossed House Bill No. 481.

On motion of Senator Thompson, the Senate adjourned until 9:30 o'clock to-morning morning.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING.

MARCH 28, 1885.

Senate met in special session at 9:30 o'clock, with Senator Magee in the chair.

Opened with prayer by the Rev. I. Albert Rondthaler.

The Journal was read in part, and, on motion, the further reading was dispensed with.

Senator Johnston moved to suspend the constitutional rule and take up Engrossed House Bill 342, read it the first time by sections, the second time by title, the third time by sections and put upon its passage.

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Huston, Johnston, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Youche and Zimmerman. Total, 37.

No one voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 342 was read the first time by sections, the second time by title, the third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Starke, Davis, Day, Drake, Duncan of Brown, Duncan of Tipton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Huston, Johnston, Macy, Magee, Marshall, May, Moon, McClure,

McIntosh, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Youche and Zimmerman. Total, 38.

No one voting in the negative.

So the bill passed.

Title as read was adopted.

Senator Willard, from the Committee on Finance, made a report on Engrossed House Bill No. 480.

Senator Willard moved that the constitutional rule be suspended and Engrossed House Bill No. 480 be read a second time and the committee report concurred in, read a third time and put upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Bryant, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ernest, Faulkner, Foulke, Fowler, Hilligass, Huston, Johnston, Macy, Magee, Marshall, May, Moon, McClure, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Youche and Zimmerman. Total, 34.

Those voting in the negative were :

Senators Brown, Davis and McIntosh. Total, 3.

So the constitutional rule was suspended.

Engrossed House Bill No. 480 was read a second time, together with the following report of the Committee on Finance:

MR. PRESIDENT:

Your Committee on Finance to which was referred House Bill No. 480, would respectfully report that they have had the same under consideration, and would recommend the following amendments. In section 2, line 11, after the words "heretofore made" insert the words, "except that made in the second section of this bill." In section 4, in line 5, before the word "deficiency" insert the word "casual." In section 4, in lines 8 and 9, strike out the words "it shall be lawful for." And in same

section, line 11, after the words "Treasurer of State," insert the words "are hereby authorized." In section 4, line 22, after the words "four per centum," insert the words "per annum."

And when so amended a majority of your committee recommend that the bill do pass.

WILLARD,
Chairman.

Report concurred in.

Engrossed House Bill No. 480, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Huston, Johnston, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter, Youche and Zimmerman.

Those voting in the negative were:

Senators Benz and Brown. Total, 2.

So the bill passed.

Title as read was adopted.

Senator Adkinson asked leave of absence for Senator Smith, of Delaware, until Monday.

Granted.

Senator Smith, of Jay, from special committee on Senate Bill No. 336, made a report, and moved that the report of committee and testimony be printed.

Carried.

On motion of Senator Duncan, of Brown, Engrossed Senate Bill No. 201 was taken up and read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Huston, Johnston, Marshall, Moon, McClure, Null, Overstreet, Peterson, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Willard, Zimmerman. Total, 28.

Those voting in the negative were :

Senators Davis, Ernest, Faulkner, Fowler, Macy, Magee, May, McIntosh, Richardson. Total, 9.

So the bill passed.

The title as read was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has amended and adopted Senate Concurrent Resolution No. 32, as amended, in reference to the appointment of an expert to examine brick work with reference to John Martin's claim, and the same is herewith transmitted to Senate.

H. C. DARNELL,
Principal Clerk.

Senator Foulke moved that the Senate refuse to concur in the House amendments to Senate Concurrent Resolution No. 32, and asked for a conference committee.

Carried.

The President appointed Senators McCullough and Winter as said conference committee.

Senator Marshall, from the special committee appointed on Senate Bill No. 366, made a report.

Senator Marshall moved that the constitutional rule be suspended and Senate Bill No. 366 be read a second time by title, the report of the committee concurred in, the bill considered engrossed, read a third time by sections and put upon it passage.

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Weir, Willard, Winter, and Zimmerman. Total, 36.

None voting in the negative.

So the constitutional rules were suspended.

Senate Bill No. 366 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your special committee to whom was referred Senate Bill No. 366, entitled a bill for an act to amend an act defining the 21st, 22d and 47th Judicial Circuits of the State of Indiana, approved by the Governor February 25, 1885, have had the same under consideration, and recommend that the bill do pass.

MARSHALL,
Chairman.

SELLERS,
M. H. WEIR.

Report concurred in, and the bill considered engrossed.

Engrossed Senate Bill No. 366 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Johnston, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Sellers, Shively, Smith of Jennings, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 37.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Weir, from special committee, made a report on Senate Bill No. 373.

Senator Sellers made a report from the Committee on Phraseology on Senate Bill No. 352, with amendments, and on Engrossed House Bills Nos. 7 and 486.

Concurred in.

Senator McIntosh, from the Committee on County and Township Business, made a report on Senate Bill No. 435.

The special order for this hour being the consideration of Engrossed House Bill No. 222, the same was taken up.

Senator Hilligass was granted leave of absence until Monday.

Pending consideration of the bill, on motion of Senator Magee, the Senate adjourned.

AFTERNOON SESSION.

MARCH 28, 1885.

Senate met at 2 o'clock P. M., with Senator Magee in the chair.

Senator Faulkner, from the special committee on Engrossed House Bill No. 172, presented a majority and minority report.

Senator McIntosh moved a call of the Senate.

The same was had, and there not being a quorum present, Senator McIntosh moved that the absentees be sent for.

Senator May asked leave of absence for Senator Smith, of Jennings.

Granted.

Senator Willard moved that the Senate adjourn.

Lost.

Senator Fowler moved that when the Senate adjourn it be until Monday at 9:30 A. M.

Carried.

Senator Fowler moved that the Senate do now adjourn.

Lost.

On motion of Senator Fowler, leave of absence was granted Senator Smith, of Jay, until Monday morning at 9:30 o'clock.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has appointed Messrs. Williams and Engle as a conference committee on Senate Concurrent Resolution No. 32, agreeable to the wishes of the Senate.

H. C. DARNELL,
Clerk of the House.

The following message was received from the House of Representatives:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in Senate engrossed amendments to Engrossed House Bill No. 7, Engrossed House Bill No. 372, and Engrossed House Bill No. 480, and the same are hereby transmitted.

H. C. DARNELL,
Clerk of the House.

On motion of Senator Campbell, of St. Joseph, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

MARCH 30, 1885.

In the absence of Lieutenant Governor Manson, on motion of Senator Weir, Senator May was chosen temporary chairman.

Session opened with prayer at 9:30 by Rev. Thomas M. Smith, of the House of Representatives.

On motion of Senator Weir, the reading of the journal was dispensed with.

On motion of Senator Weir, Senate Bill No. 373 was taken up on its second reading.

Senate Bill No. 373 was read a second time.

Senator Magee, chairman *pro tem.*, took the chair.

Senator Benz moved to take up Senate Bill No. 329.

Carried.

Senate Bill No. 329 was taken up and read a second time, with the following committee report:

MR. PRESIDENT:

Your Committee on Prisons, to whom was referred Senate Bill No. 329, introduced by Senator Benz, report that we have had the same under consideration, and recommend that said bill do pass.

HOOVER,
Chairman.

Report concurred in and the bill ordered engrossed.

The following communication was received from the Governor, and referred to Committee on Executive Appointments.

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, March 28, 1885.

Gentlemen of the Senate:

Pursuant to the provisions of an act of the General Assembly approved March 19, 1885, providing for an additional member of the State Board of Health, I have the honor to appoint

Samuel S. Boots, of Hancock county, as a member of the State Board of Health, to serve as such for a term of four years from the 19th day of March, 1885, and until his successor shall have been appointed and qualified, and I now submit such appointment to the Senate for its confirmation.

ISAAC P. GRAY,
Governor.

On motion of Senator Weir, House Concurrent Resolution No. 3 was read.

On motion of Senator Weir, House Concurrent Resolution No. 29 was read.

On motion of Senator Youche, Engrossed House Bill No. 47 was taken from the table and read a second time.

Senator Smith, of Jay, offered a petition from citizens of Wayne township, which was referred to Committee on Military Affairs, without reading.

On motion of Senator Foulke, House Joint Resolution No. 6 was read a first time.

On motion of Senator Davis, Senate Bill No. 218 was taken up and read a second time, with committee report, and ordered engrossed.

Senate Bill No. 349 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

The Committee on the Judiciary, to whom was referred Senate Bill No. 349, report that they have had said bill under consideration, and recommend that it do pass.

J. E. McCULLOUGH,
Chairman.

Report concurred in.

Senate Bill No. 256 was read a second time, together with the following majority and minority reports of the committee :

Senator Willard makes the following minority report on Senate Bill No. 256 :

MR. PRESIDENT:

We, the undersigned, members of the Finance Committee, would respectfully report that they have had under consideration Senate Bill No. 256, introduced by Senator Brown, and recommend that the same do lie on the table.

JAMES H. WILLARD.

M. H. WEIR.

Senator Magee, from the Committee on Finance, made the following majority report:

MR. PRESIDENT:

A majority of your Committee on Finance, to whom Senate Bill No. 256, entitled "An act to establish State and County Boards of Finance," was referred, have had the same under advisement, and your committee would recommend the striking out of section 10. I would further recommend that these words, "which draft shall be drawn in compliance with the warrant by the Auditor of State, in pursuance of the law," be added to section 4.

Also, that these words, "said draft to be drawn only for actual expense," be added to section 8.

Thus amended, a majority of your committee would recommend that the bill do pass.

MAGEE.

The report was concurred in.

Senator Ernest moved that Senate Joint Resolution No. 6 be taken up and read a second time and ordered engrossed, and report of committee concurred in.

Senator Thompson, from the Committee on Cities and Towns, made report on Engrossed House Bill No. 384.

Senator May moved to take up Engrossed House Bill No. 384.

Carried.

Engrossed House Bill No. 384 was read a second time, with the following report of the committee:

MR. PRESIDENT :

Your Committee on Cities, to whom was referred Engrossed House Bill No. 384, have had the same under consideration and have directed me to report the same back to the Senate, and that the committee recommend that the bill do pass.

W. CLINTON THOMPSON,
Chairman.

The report was concurred in.

On motion of Senator Overstreet, Engrossed House Bill No. 317 was read a second time.

On motion of Senator Huston, Senate Bill No. 276 was read a second time.

The report of the committee was concurred in and the bill ordered engrossed.

On motion of Senator Brown, Senate Bill No. 203 was taken up and read a second time, together with the following report of the committee:

MR. PRESIDENT :

Your Committee on the Judiciary have had under consideration Senate Bill No. 203, a bill to amend section 11 of an act regulating the granting of divorces, etc., approved March 10, 1873, and the committee direct me to report the same back to the Senate, with the recommendation that it shall pass.

McCULLOUGH,
Chairman.

Report concurred in and bill ordered engrossed.

Senator Bailey offered Concurrent Resolution No. 33, as follows :

Resolved by the Senate, the House of Representatives concurring,
That our Senators in Congress be instructed and our Representatives requested to use their influence for the more strict enforcement of the national eight hour law, and endeavor to amend said law so as to make eight hours the measure of a day's labor in all mechanical and industrial employments, except agricultural, throughout the United States.

The Governor of the State is hereby directed to forward copies of this resolution to each of our Senators and Representatives in Congress.

Adopted.

Senator Hill, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT:

Your Committee on Agriculture, to whom was referred En-grossed House Bill No. 71, report that they have had the same under consideration, and beg leave to submit the following report:

That section 1 of said act be amended by striking out, after the word "however," in line 12, page 4, the following words: "If such fence should be constructed of wire or barbed wire the same shall have one board at the bottom and one board at the top thereof, and."

That section 3 of said act be amended by adding after the word "agent," and before the word "for," in line 8, page 11, the following words, "in writing."

Also, by striking out the word "ten," in line 1, page 12, and inserting in lieu thereof the word "thirty."

That said bill, when so amended, do pass.

JAMES HILL,
Chairman.

The report was concurred in and ordered printed with the amendments.

Senator May was called to the chair, temporarily.

Senator Benz moved a call of the Senate.

Roll was called.

Senator Brown moved that the further call of the roll be dispensed with.

Carried.

Senator Winter introduced Senate Bill No. 375, entitled:

An act to amend section 1 of an act entitled, an act to amend section 1 of an act entitled, an act amendatory and supplemental to an act entitled, an act providing for voluntary assignments of personal and real property in trust for the benefit of creditors, and regulating the mode of administering the same, approved March 5, 1859, approved February 1, 1875, approved April 7, 1881, being section 2071 of the Revised Statutes of 1881.

Read first time and referred to the Committee on Judiciary.

Senator May introduced Senate Bill No. 376, entitled:

An act to repeal session act of 1883, and declaring an emergency.

Which was read a first time and referred to the Committee on Insurance.

Senator McIntosh presented a petition which was referred to the Committee on Labor without reading.

On motion of Senator Zimmerman, Engrossed House Bill No. 481, was read second time with committee report.

Senator Weir moved that the bill be referred to a special committee with instructions to report to-morrow.

The committee consists of Senators Weir, Youche and Zimmerman.

On motion of Senator Weir, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

MARCH 30, 1885.

Senate met at 2 o'clock in the absence of Lieutenant Governor Manson.

Senator Hilligass was made temporary chairman, on motion of Senator Weir.

Lieutenant Governor Manson took the chair at 2:05.

Senator Weir from a select committee made a report on Senate Bill No. 236.

Senator Smith, of Jennings, offered the following resolution:

Resolved, That the Indiana Senate congratulate President Cleveland, for his good judgment in selecting the Senator from Cass—the Honorable Rufus Magee—to the position of minister to Norway and Sweden, and that the Senate now take a recess for ten minutes in honor of the Senator from Cass.

Which was unanimously adopted by a rising vote.

Senator Foulke offered the following:

Resolved, The Senate of Indiana unanimously, without distinction of party, communicate to the President our sense of the honor conferred on our body as well as of the eminent fitness of the appointment of the Hon. Rufus Magee, as Minister Resident of the United States at Stockholm, and that we feel assured that in this appointment the United States will be most ably and fitly represented at the Court of Sweden.

Unanimously adopted.

Senator Johnson offered the following resolutions:

WHEREAS, The President of the United States has appointed the Hon. Rufus Magee, the Senator from Cass county, American Minister to the Court of Sweden and Norway.

Resolved, That the Senate of the State of Indiana, expresses its great satisfaction and entire approbation of this appointment, and considers it a fit tribute to the eminent ability and worth of one of its most prominent members.

Resolved, That the Senate of Indiana cordially and unanimously congratulate the Hon. Rufus Magee on the distinguished honor conferred upon him by this appointment.

Resolved, That the Secretary of the Senate be, and is hereby instructed, to forward certified copies of these resolutions, both to the Secretary of State, Hon. Thos. F. Bayard, and the Hon. Rufus Magee.

Unanimously adopted.

Leave of absence was granted Senator McClure for an indefinite period.

The Chair announced that he had signed Enrolled Senate Acts Nos. 372, 342, and 7.

Senator Day offered the following resolution :

Resolved, That 500 State maps be printed, showing Congressional, Senatorial and Representative Districts, for the use of members of both houses, and that when delivered they shall be paid for out of State Treasury. DAY.

Senator Benz moved to lay the resolution on the table.

Carried.

J. J. Walsh, Reading Clerk, was granted leave of absence.

Senator Faulkner moved to suspend the order of business and take up Engrossed House Bill No. 172, on second reading.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McIntosh, Null, Overstreet, Peterson, Schloss, Shively, Thompson, Weir, Winter, Youche, Zimmerman. Total, 37.

Those voting in the negative were:

Senators Foulke, and Smith of Jennings. Total, 2.

So the motion carried.

Engrossed House Bill No. 172 was read a second time, together with the following reports of the committee :

MR. PRESIDENT:

Your special committee to which was referred House Bill No. 172, would respectfully report that they have had the same under consideration, and a majority of said committee direct me to report the same back to the Senate with the recommendation that the same do pass.

C. R. FAULKNER,
FRED. HOOVER,
SILAS PETERSON.

MR. PRESIDENT ;

The undersigned, members of the special committee to whom was referred House Bill No. 172, have had the same under consideration, and for the reason that the laws now in force concerning gaming, etc., substantially cover all the provisions of said bill, we report the same back with the recommendation that the same be indefinitely postponed.

A. G. SMITH,
W. D. FOULKE.

MR. PRESIDENT :

The special committee to whom was referred Engrossed House Bill No. 172, report that they have had said bill under consideration, and the undersigned, a majority of the committee, recommend that it be amended as follows: Insert in line 1 of page 3, after the word "advice," the words "for the purpose of wagering money or anything of value, or upon the result of which money or anything of value shall be wagered."

Strike out all of section 2.

Amend the the title by inserting after the word "association" the word "and," and by striking out all after the word societies, and when so amended that the bill do pass.

J. W. YOCHE,
F. WINTER.

MR. PRESIDENT :

Your special committee, to whom was referred House Bill No. 172, have had the same under consideration, and a majority of said committee concur in all the recommendations made by the majority report, except that striking out section 2.

JAS. H. WILLARD.

Senator Faulkner moved that the report signed by Senator Willard be adopted.

Lost.

Senator Youche moved that the majority report, signed by Youche and Winter, be concurred in.

Carried.

Senator Faulkner moved to suspend the constitutional rule and read Engrossed House Bill No. 172 a third time, and put upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ernest, Faulkner, Fowler, Hilligass, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McIntosh, Null, Overstreet, Peterson, Shively, Thompson, Weir, Winter, Youche and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Ernest, Foulke, Hill, Howard, Magee, and Smith of Jennings. Total, 6.

So the rules were suspended.

Engrossed House Bill No. 172 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ernest, Faulkner, Fowler, Hilligass, Hoover, Johnston, Macy, Marshall, May, Moon, McIntosh, Overstreet, Peterson, Shively, Winter, and Youche. Total, 24.

Those voting in the negative were:

Senators Day, Duncan of Brown, Foulke, Hill, Howard, Huston, Johnson, Lindley, Magee, Null, Smith of Jennings, Thompson, Weir, and Zimmerman. Total, 14.

So the bill failed to pass for the want of a constitutional majority.

The President announced that he had signed Enrolled House Bill No. 480.

The following messages were received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House, agreeable to the wishes of the Senate, has returned Senate bill No. 293.

H. C. DARNELL,
Clerk.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 7, in relation to an allowance for Miss Fannie Rutter, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Weir moved that the consideration of Engrossed House Bill No. 222 be postponed until to-morrow at 11 o'clock.
Carried.

Senator Marshall asked leave of absence for Senator Willard until Wednesday morning.
Granted.

Senator Weir moved that the regular order be suspended and Senate Bill No. 373 be taken up and read a second time.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ernest, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, Null, Overstreet, Peterson, Shively, Smith of Jennings, Thompson, Weir, Winter and Zimmerman. Total, 34.

Those voting in the negative were :

Senators Fowler, Howard and McIntosh. Total, 3.

So the motion prevailed.

Engrossed Senate Bill No. 373 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your select committee to whom was referred Senate Bill No. 373, would respectfully report that they have had the same under consideration, and report as follows :

First. That section 17 be amended in line 2, by inserting the words four thousand in lieu of the words three thousand five hundred.

Second. That section 23 be amended so as to read as follows: Sec. 23. On the hearing of causes in said Court the argument shall be oral, unless the parties stipulate otherwise, and the Court may require written or printed briefs in addition. Causes argued orally must be determined at the term at which they are argued, unless delay be necessary for advisement, and in that case the fact shall be publicly announced by the Court, and entered of record.

And the committee further recommend that when so amended the bill shall pass.

M. H. WEIR,
Chairman.

Report concurred in.

Senator Fowler moved to recommit the bill to the select committee with instructions to amend the bill by making it read three Judges instead of five.

Senator Shively, from the Committee on Executive Appointments, made the following report:

MR. PRESIDENT:

Your committee to whom was referred the communication of the Governor; in reference to appointing Samuel S. Boots, of Hancock county, as a member of the State Board of Health, beg leave to make the following report: That we recommend that the appointment be confirmed by the Senate.

JAMES S. SHIVELY,
Chairman.

Report concurred in.

Senator Duncan, of Brown, presented report from the Committee on Education, on Senate Bill No. 348.

Senator Duncan, of Brown, from Committee on Education, presented report on Senate Bill No. 347.

Senator Bailey moved that the Senate do now adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Campbell of Hendricks, Day, Drake, Foulke, Hill, Hoover, Howard, Huston, Lindley, Macy, Marshall, May, Moon, Null, Shively, Smith of Jennings, Smith of Jay, Weir, Winter, Youche and Zimmerman. Total, 24.

Those voting in the negative were :

Senators Benz, Davis, Duncan of Hamilton, Duncan of Brown, Ernest, Faulkner, Fowler, Johnston, McIntosh, Overstreet and Peterson. Total, 11.

So the motion carried, and the Senate adjourned until tomorrow morning at 9:30 o'clock.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

MARCH 31, 1885.

The Senate met in special session at 9:30 o'clock, with Lieutenant Governor Manson in the chair.

The session was opened with prayer by the Rev. Mr. Townsend, of the House of Representatives.

On motion of Senator Shively, the reading of the journal was dispensed with.

Senator Weir moved that the Senate take up House Concurrent Resolutions Nos. 7, 8 and 29.

Carried.

House Concurrent Resolution No. 7, in reference to paying Miss Rutter \$10 on account of attendance on Representative Browning, etc., was read and adopted.

House Concurrent Resolution No. 8, in reference to paying Miss Nina J. Moore \$20 for services rendered as stenographer for the Committee on Ways and Means, was read and adopted.

House Concurrent Resolution No. 29, in reference to paying expenses of the committee investigating the John Martin claim—total amount, \$132.10—was read and adopted.

On motion of Senator Huston, Engrossed House Bill No. 75 was taken up and read a first time, and referred to the Committee on Roads and Highways.

The question being on the motion of Senator Fowler to recommit Senate Bill 373 to the special committee, with instructions to amend the bill by substituting "three" for "five" judges, which was pending when the Senate adjourned last evening.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Bryant, Campbell of St. Joseph, Duncan of Hamilton, Ernest, Faulkner, Fowler, Hill, Johnston, May, McIntosh, Null, Overstreet, Schloss, Youche and Zimmerman. Total, 16.

Those voting in the negative were:

Senators Brown, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ensley, Foulke, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson and Weir. Total, 25.

So the motion was lost.

Senator Weir moved that the bill be engrossed.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Foulke, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Magee, Marshall, Moon, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir and Zimmerman. Total, 29.

Those voting in the negative were :

Senators Benz, Brown, Campbell of St. Joseph, Duncan of Hamilton, Faulkner, Fowler, Johnston, May, McIntosh, Null, Overstreet, Smith of Delaware, and Youche. Total, 13.

So the motion was carried and bill ordered engrossed.

The special order for this hour being Senate Bill No. 236, the same was taken up.

Senator Macy offered the following amendment :

MR. PRESIDENT :

I move to amend the report of the special committee to whom was submitted Senate Bill No. 236, by striking out section one and to number section two, section one and section three (3), section two.

Senator Foulke offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 236 by adding thereto the following :

Section 3. Nothing herein contained shall be construed to apply to any land heretofore purchased enclosed, or held as hunting grounds.

And to erase the words "now or" in line 3 of amended section 2.

Accepted.

Senator Weir moved to recommit the bill with instructions to amend and report to-morrow morning.

Senator Fowler moved to indefinitely postpone the bill.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bryant, Campbell of St. Joseph, Davis, Day, Ernest, Faulkner, Fowler, Hill, Johnston, Overstreet and Peterson. Total, 11.

Those voting in the negative were :

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Drake, Duncan of Hamilton, Duncan of Brown, Enaley,

Foulke, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Macy, Magee, Marshall, Moon, McIntosh, Null, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Randolph, Thompson, Weir, Youche and Zimmerman. Total, 32.

So the motion was lost.

Senator Macy offered the following amendment :

MR. PRESIDENT :

I move to amend Senate Bill No. 236, by striking out all after the enacting clause, and inserting in lieu thereof the following :

SECTION 1. Whoever hunts with a dog or dogs, or hunts or shoots with any kind of fire arms on inclosed tillable and grazing lands, without having first obtained the consent of the owner or occupant thereof, shall upon conviction thereof be fined in any sum not more than \$50, nor less than \$5, provided that no prosecution shall be instituted under the provisions of this section, except upon the consent of the owner of the land entered.

SEC. 2. All laws and parts of laws in conflict with this act are hereby repealed.

SEC. 3. An emergency is hereby declared.

MACY.

The question being on Senator Weir's motion to refer.

The same was carried.

Senator Weir, from the Committee on Judiciary, made a report on Senate Bill No. 343, recommending that the bill be laid on the table.

. Concluded in.

Senator Weir, from the Committee on Judiciary, made a report on Senate Bill No. 369, recommending that the bill be indefinitely postponed.

Concluded in.

Senator Weir, from the Committee on Judiciary, made a report on Senate Bill No. 219, recommending that the bill do lie on the table.

Concluded in.

Senator Weir, from the Committee on Judiciary, made a report on a petition of Henry A. Smith, and recommend that it do lie on the table.

Concurred in.

Senator Benz moved to take from the table Senate Bill No. 161.

Carried.

Senate Bill No. 161 was taken from the table and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Huston, Johnson, Johnston, Macy, Magee, Marshall, Moon, Null, Peterson, Sellers, and Thompson. Total, 26.

Those voting in the negative were :

Senators Bryant, Duncan of Brown, Hill, Hoover, Lindley, McIntosh, Overstreet, Rahm, Schloss, Shively, Smith of Jennings, Smith of Delaware, Weir, Winter, Youche, and Zimmerman. Total, 16.

So the bill passed.

The title as read was adopted.

Senator Magee asked leave of absence for Assistant Door-keeper Galliger.

Granted.

On motion of Senator Bailey, Senate Bill No. 336 was taken up and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Brown, Ensley, Foulke, Hilligass, Howard, Huston, Johnson, Lindley, Macy, Moon, Peterson, Rahm, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, and Zimmerman. Total, 27.

Those voting in the negative were:

Senators Benz, Brown, Day, Ernest, Faulkner, Fowler, Hill, Hoover, Johnston, McIntosh, Null, Overstreet, Winter, and Youche. Total, 14.

So the bill passed.

The title was read and referred to the Committee on Phrasology to correct the same.

On motion of Senator Marshall, Senate Bill No. 173 was taken up and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Hill, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Schloss, Smith of Jay, Smith of Delaware, Thompson, Weir and Zimmerman. Total, 26.

Those voting in the negative were:

Senators Brown, Day, Duncan of Brown, Ernest, Faulkner, Hilligass, Johnston, Magee, McIntosh, Null, Rahm, Shively, Smith of Jennings, and Winter. Total, 14.

So the bill passed, and the title as read was adopted.

On motion of Senator Hilligass, the Senate adjourned.

AFTERNOON SESSION.

MARCH 31, 1885.

Senate met at 2 o'clock p. m., with Lieutenant Governor Manson, in the chair.

Senate Concurrent Resolution No. 10 was read, together with the following report of the Judiciary Committee:

MR. PRESIDENT:

Your Committee Judiciary, have had under consideration, Senate Concurrent Resolution No. 10, proposing an amendment to section 2, of article 7, of the Constitution of the State of Indiana, and the committee direct me to report the same back to the Senate with the recommendation that it be amended so as to read as follows, and that when so amended said resolution do pass.

A concurrent resolution proposing an amendment to section 2, of article 7, of the Constitution of the State of Indiana.

Resolved by the Senate, the House of Representatives concurring: That the following amendment to the Constitution of the State of Indiana, be and the same is hereby proposed and agreed to, to-wit:

Amend section 2, of article 7, to read as follows:

Section 2. The Supreme Court shall consist of not less than five nor more than seven Judges, a majority of whom shall form a quorum. They shall hold their offices for six years if they so long behave well.

But the General Assembly may by law divide the Judges into classes in such manner that a number as nearly equal as possible shall be elected biennially, and Judges elected to fill vacancies shall only hold for the unexpired term of the Judge whose vacancy is so filled.

Resolved, That in submitting this amendment to the electors of the State to be voted on, it shall be designated as "Amendment No. 3."

Report of committee read and adopted.

The question being on the passage of the resolution.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bryant, Campbell of St. Joseph, Drake, Duncan of Hamilton, Ensley, Foulke, Huston, Johnson, Lindley, Moon, Overstreet, Peterson, Sellers, Smith of Delaware, Winter, Youche and Zimmerman. Total, 19.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Faulkner, Hill, Hilligass, Hoover, Howard, Johnston, Macy, Marshall, May, McIntosh, Null, Schloss, Smith of Jennings, Thompson, Weir. Total, 18.

So the resolution failed to pass for the want of a constitutional majority.

Senate Bill No. 346 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your Committee on Military Affairs, to whom was referred Senate Bill No. 346, introduced by Senator Hilligass, report that we have had the same under consideration, and unanimously recommend that said bill do pass.

F. M. HOWARD,
Chairman.

Report was concurred in.

Senator Winter offered the following amendment :

MR. PRESIDENT :

Amend section 3 by striking out the words "and every honorary member of any regularly organized company or battery of the Indiana Legion shall be exempt from all jury duty."

Adopted.

Senator Hilligass moved that the bill be engrossed.

Carried.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 401 and 336, and the same are herewith transmitted to the Senate for its action thereon.

Also, that the House has passed House Joint Resolution No. 4, proposing an amendment to section 1, article 6, of the Constitution, and the same, with the ayes and noes thereon, has been entered upon the Journal of the House.

H. C. DARNELL,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 200, 292 and 561, and Senate Concurrent Resolution No. 33, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 46, 25, 341 and 62, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

The special order for this hour being Engrossed House Bill No. 222, the same was taken up.

Senator Weir, after some discussion on the bill, moved the previous question, which was not seconded.

Senator Campbell of St. Joseph made the following motion :

MR. PRESIDENT :

I move that Engrossed House Bill No. 222 be recommitted to the same special committee to which it was last referred, with

instructions to report a substitute at 2 o'clock to-morrow, when it shall at once be put upon its passage. Said substitute shall be the present law, known as the "Circuit Court Ditch Law," amended by inserting substantially the provisions of amended House Bill No. 222:

1st. The provisions for appointment of Drainage Commissioners by the Board of County Commissioners, and fixing the bond for all.

2d. The provisions for personal notice.

3d. The provisions that remonstrance may be made by two-thirds in number, representing not less than one-half the land assessed.

4th. The provisions that no land or property but that assessed can be sold for failure to pay assessments.

5th. The provisions for redemption.

6th. The provisions for cleaning the ditches, allowing the Surveyor thirty days, and permitting the showing of cause for failure to act to excuse from judgment and costs.

Senator Hilligass demanded the previous question.

Which was seconded.

The question being on the motion of Senator Campbell of St. Joseph.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Hill, Lindley, Macy, Magee, Marshall, Overstreet, Winter, and Youche. Total, 13.

Those voting in the negative were:

Senators Adkinson, Bailey, Brown, Bryant, Day, Duncan of Brown, Ensley, Ernest, Fowler, Hilligass, Hoover, Howard, Johnson, Johnston, May, Moon, McIntosh, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, and Zimmerman. Total, 29.

So the motion to recommit the bill with instructions was lost.

On motion of Senator Lindley Senator Huston was granted leave of absence until to-morrow.

The question being on the passage of Engrossed House Bill No. 222.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Hoover, Howard, Johnson, Johnston, Marshall, May, Moon, McIntosh, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir and Zimmerman. Total, 32.

Those voting in the negative were :

Senators Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Hamilton, Lindley, Macy, Magee, Overstreet, Winter and Youche. Total, 11.

So the bill passed, and the title as read was referred to the Committee on Phraseology.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 66 and 91, and the same are herewith transmitted to the Senate.

H. C. DARNELL,

Clerk of the House.

Senator McIntosh moved that the constitutional rule be suspended, and that Engrossed House Bill No. 561 be read a first time by sections, a second time by title, and a third time by sections, and put upon its passage.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Lind-

ley, Macy, Marshall, May, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 39.

So the constitutional rule was suspended.

Engrossed House Bill No. 561 was read a first time by sections, a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Lindley Macy, Marshall, May, Moon, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Smith of Jennings, Thompson, Weir, Winter, Youche, Zimmerman. Total, 38.

No one voting in the negative.

So the bill passed.

Title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed the following Senate Bills: Nos. 345, 132 and 137, with amendments, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

On motion of Senator Winter, Senate Bill No. 349 was taken up and read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Lindley, Macy, Magee, Marshall, Moon, McIntosh, Null, Peterson, Overstreet, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Winter, Youche, Zimmerman. Total, 36.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

On motion of Senator Magee, Engrossed House Bill No. 401, was taken up and read a first time and referred to a select committee of three.

Committee appointed were Senators Smith, of Jennings, Johnston and Fowler.

Senator Bailey, from the Committee on Labor, made a report on Senate Bill No. 314.

Senate Bill No. 314 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your Committee on Labor and Labor Statistics, to which was referred Senate Bill No. 314, respectfully report that they have had the same under consideration and recommend, unanimously, that it do pass.

LEON O. BAIL
Chairman.

Report concurred in and bill ordered engrossed, and on motion, the bill was ordered printed.

By consent of the Senate, the record was ordered corrected so as to show that Senator Moon voted in the affirmative on Senate Concurrent Resolution No. 10.

On motion of Senator Hilligass, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

APRIL 1, 1885.

The Senate met in special session at 9:30 o'clock, with Senator Magee in the chair.

Opened with prayer by the Rev. Mr. Smith, of the House of Representatives.

The Journal was read in part, and on motion of Senator McIntosh, further reading was dispensed with.

Senator McIntosh made a report on Engrossed House Bill No. 543.

Report concurred in and bill ordered printed.

On motion of Senator Hilligass, Engrossed House Bill No. 518 was taken up.

Senator Hilligass moved that the constitutional rule be suspended and Engrossed House Bill No. 518 be read the second time by title, the third time by sections and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McIntosh, Hull, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, and Zimmerman. Total, 40.

Those voting in the negative were:

Senator Foulke. Total, 1.

So the constitutional rule was suspended.

Engrossed House Bill No. 518 was read the second time.

Senator Willard offered the following amendment:

MR. PRESIDENT:

I move to strike out the emergency clause of House Bill No. 518.

Adopted.

Senator Winter offered the following amendment:

MR. PRESIDENT:

I move to amend by striking out of section 1 the words "in each and every instance." And by adding the following proviso to the section: "*Provided, however,* That the provisions of this section shall not apply to any case where, before the enactment of this law, a contract between the corporation and its employe gives the right to make such exaction."

Senator Campbell, of St. Joseph, moved to amend the amendment by striking out all of the amendment after the word "instance."

Lost.

The question being on the amendment of Senator Winter.

The same was lost.

Engrossed House Bill No. 518 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hill, Hilligass, Hoover, Lindley, Macy, Marshall, May, Moon, McClure, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, and Zimmerman. Total. 36.

Those voting in the negative were:

Senators Foulke, Overstreet, Sellers, and Winter. Total, 4.

So the bill passed.

The title as read was adopted.

Senator Sellers, from the Committee on Phraseology, etc., submitted the following report:

MR. PRESIDENT:

Your Committee on Phraseology, etc., having had under consideration Engrossed House Bill No. 222 begs leave to recommend that the words "he or" be inserted after the word drainage, at the beginning of line 4, section 2 of the printed bill; insert the words "petitioner or" before the word "petitioners" in line 5, section 2 of the printed bill; insert the words "petitioner or" before the word "petitioners" in line 1 of section 3; insert the words "he or" before the word "they" in line 2 of section 3; insert the words "petitioner or" before the word "petitioners" in line 34 of section 3.

The committee further recommends that the following words be added to the title of said bill, to wit: "Prohibiting the obstruction of drains established under the laws of the State, prescribing the penalty therefor, and declaring an emergency."

Report concurred in and the title adopted as amended.

Engrossed House Bill No. 402 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Day, Ernest, Faulkner, Foulke, Hilligass, Hoover, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Winter and Zimmerman. Total, 32.

Those voting in the negative were:

Senators Campbell of Hendricks, Davis, Drake, Duncan of Hamilton, Duncan of Monroe, Ensley, Fowler, Hill, Howard, Johnston, Overstreet, Rahm and Willard. Total, 13.

So the bill passed.

The title was read and referred to the Committee on Phraseology.

Senator Winter moved that the conference committee on Senate Concurrent Resolution No. 32 be discharged, and a new committee be appointed.

Carried.

Committee appointed, Senators Weir, and Smith of Jennings.

On motion of Senator Johnston, Engrossed House Bill No. 262 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your Committee on Agriculture, to whom was referred Engrossed House Bill No. 267, report that we have had the same under consideration and recommend that said bill do pass.

JAMES HILL.

Chairman.

On motion of Senator Willard, the bill was referred to the Committee on Judiciary.

Engrossed House Bill No. 200 was taken up and read a first time and referred to a committee of three.

Committee appointed, Senators Brown, Sellers, and Marshall.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bill No. 534, also Senate Bills Nos. 3 and 251, and the same are herewith transmitted to the Senate for its action.

H. C. DARNELL,

Principal Clerk.

Engrossed House Bill No. 39 was taken up and read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan

of Tipton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hilligass, Howard, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Delaware, Thompson, Weir, Willard, Winter and Zimmerman. Total, 38.

None voting in the negative.

So the bill passed.

Title as read adopted.

Senator Winter, from Judiciary Committee made a report on Senate Bill No. 375.

Senator Sellers, from the Committee on Phraseology, presented the following report:

MR. PRESIDENT :

Your Committee on Phraseology, etc., to which was referred House Bill No. 402, begs leave to recommend that the words "forty-eight" be stricken out of the title thereof, and the words "forty-ninth" be inserted in lieu thereof, and that when said title is so amended the same stand as the title to the act.

SELLERS,
Chairman,

The report was concurred in.

Engrossed House Bill No. 31 was taken up, and on motion, laid on the table.

Engrossed Senate Bill No. 373 was taken up, and read a third time.

Senator Davis offered the following amendment :

MR. PRESIDENT :

I move to refer section 17, of Senate Bill No. 373, to a committee of one, with instructions to amend said section so as to read as follows :

Section 17. The Judges of the Appellate Court shall severally receive an annual salary of thirty-five hundred dollars, payable quarterly, as the salaries of other State officers are paid.

Senator Winter offered the following amendment:

MR. PRESIDENT:

I move to amend the amendment of Senator Davis, by striking out all of said amendment except the words "payable quarterly."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Campbell of Hendricks, Day, Duncan of Brown, Foulke, Hilligass, Hoover, Howard, Lindley, Magee, Moon, McClure, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir and Winter. Total, 20.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Fowler, Hill Huston, Johnston, Macy, May, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Thompson, Youche and Zimmerman. Total, 25.

So the motion was lost, and the amendment was rejected.

The question being on Senator Davis' amendment.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Johnson, Johnston, Lindley, Macy, Marshall, May, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Delaware, Zimmerman. Total, 38.

Those voting in the negative were:

Senators Bailey, Magee, Sellers, Smith of Jay, Weir, Winter, Youche. Total, 7.

So the amendment was adopted.

The President appointed Senator Weir as said committee.

Senator Smith, of Jennings, presented the following report from the Committee on Enrolled Bills:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 66, 91, 132, 25, 46, 137, and 62, with Enrolled Senate Acts Nos. 66, 91, 132, 25, 46, 137, and 62, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President of the Senate announced that he had signed Senate Acts Nos. 66, 91, 132, 25, 46, 137, and 62, and Enrolled House Act No. 561.

Senator Hilligass presented the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Special Session of the Fifty-fourth General Assembly adjourn sine die, Monday, April 6, 1885.

On motion of Senator Benz, the Senate adjourned.

AFTERNOON SESSION.

APRIL 1, 1885.

Senate met at 2 o'clock, with Lieutenant-Governor Manson in the chair.

Senator Weir, from special committee on Senate Bill No. 373, made the following report:

MR. PRESIDENT:

Your committee of one, to whom was referred Senate Bill No. 373, with instructions to amend section 17 by inserting "three thousand and five hundred," in lieu of "four thousand," and by inserting, in lieu of "monthly," the words, "payable quarterly, as the salaries of other State officers are paid," would report that he has made said amendments as directed, and herewith reports the same back amended by inserting the same in the engrossed bill.

WEIR.

Adopted.

The question being on the passage of Senate Bill No. 373.

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Easley, Ernest, Foulke, Hoover, Johnston, Lindley, Macy, Magee, Marshall, Moon, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir and Willard. Total, 32.

Those voting in the negative were:

Senators Benz, Duncan of Hamilton, Faulkner, Fowler, Hilligass, Johnson, McClure, McIntosh, Null, Sellers, Youche and Zimmerman. Total, 12.

So the bill passed.

The title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has agreed to Senate amendments to House Bills Nos. 402 and 222.

Also, that the House has passed House Concurrent Resolution No. 9, with amendments, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

The question being on the adoption of Senator Hilligass' concurrent resolution.

Senator Sellers moved to lay the resolution on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Day, Duncan of Hamilton, Ernest, Null, Rahm, Richardson, Sellers, Shively, Smith of Jay, Smith of Delaware, and Thompson. Total, 16.

Those voting in the negative were:

Senators Benz, Campbell of St. Joseph, Davis, Drake, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hilligass, Hoover, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McIntosh, Overstreet, Peterson, Schloss, Smith of Jennings, Willard, Youche and Zimmerman. Total, 27.

So the motion was lost.

Senator Ernest offered the following amendment:

MR. PRESIDENT:

I move to insert the words, "Provided the general appropriation bill is passed and becomes a law at the date mentioned."

Adopted.

The question being on the concurrent resolution as amended.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Smith of Jennings, Willard, Youche and Zimmerman. Total, 36.

Those voting in the negative were:

Senators Campbell of Hendricks, Davis, Richardson, Sellers, Smith of Jay, Smith of Delaware, Thompson and Winter. Total, 8.

So the Concurrent Resolution No. 34 carried.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 479, being the general appropriation bill, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,

Principal Clerk.

Senator Youche moved that Engrossed House Bill No. 479 be read a first time.

Carried.

Engrossed House Bill No. 479 was read a first time, and Senator Magee moved that one hundred copies be printed, and the bill be made a special order for to-morrow morning at 10 o'clock A. M.

Senator Willard moved to amend by referring the bill to the Finance Committee.

Carried.

And Senator Magee's motion as amended was carried.

Senator Youche moved to suspend the order of business and take up Engrossed House Bill No. 47.

Carried.

Engrossed House Bill No. 47 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Johnson, Lindley, Macy, Magee, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jay, Smith of Delaware, Thompson, Winter, Youche and Zimmerman. Total, 40.

No one voting in the negative.

So the bill passed.

Title read and referred to Committee on Phraseology for correction.

On motion of Senator Faulkner, Engrossed House Bill No. 172 was put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Johnson, Johnston, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Delaware, Thompson, Winter and Youche. Total, 36.

Those voting in the negative were :

Senators Lindley, Null, Richardson, Schloss, Smith of Jennings, Smith of Jay, and Zimmerman. Total, 7.

So the bill passed.

The title was read and referred to the Committee on Phraseology.

Senator Foulke moved to reconsider the vote just taken on Senate Bill No. 172.

Senator Faulkner moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Bryant, Day, Duncan of Brown, Ernest, Faulkner, Fowler, Hilligass, Hoover, Johnston, May, McClure, McIntosh, Peterson, Rahm, Sellers, Shively, Smith of Jay, Thompson, Winter, and Youche. Total, 23.

Those voting in the negative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Foulke, Johnson, Lindley, Macy, Magee, Marshall, Moon, Null, Overstreet, Richardson, Schloss, Smith of Jennings, Smith of Delaware, and Zimmerman. Total, 21.

So the motion carried.

Senator Youche moved that the title of House Bill No. 172 be adopted as reported by the committee.

Carried.

Senator Magee moved to adjourn.

Which motion was lost.

On motion Engrossed House Bill No. 71 was made a special order for Friday at 2 o'clock p. m.

On motion of Senator Brown, Senate Bill No. 145 was taken up and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Johnson, Lindley, Magee, May, McIntosh, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter, and Zimmerman. Total, 31.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Davis, Duncan of Hamilton, Johnston, McClure, Overstreet, Richardson, and Smith of Delaware. Total, 8.

So the bill passed.

The title as read was adopted.

Engrossed Senate Bill No. 314 was read a third time.

Senator Foulke offered the following amendment to Senate Bill No. 314:

MR. PRESIDENT:

I move to commit Senate Bill No. 314 to a special committee of one, with instructions to amend by striking out the words "or other persons," line 10, page 2.

Senator Duncan of Tipton moved the Senate adjourn.

Lost.

Senator Smith, of Jennings, moved to amend by referring to a special committee of three, to report to-morrow at 2 o'clock p. m.

Carried.

Senator Foulke's amendment as amended was then adopted.

Committee appointed: Senators Smith of Jennings, Bailey and Foulke.

Senator Weir made a report from select committee on Engrossed House Bill No. 481.

Senator Youche, from the same committee, made a minority report on the same bill.

On motion Engrossed House Bill No. 481, with the majority and minority reports, was ordered printed.

Senator Fowler asked leave of absence for himself, Senators Smith of Jennings, and Johnston.

Granted.

Senator Weir presented House Concurrent Resolution No. 9. Resolution was read.

Senator May moved to refer the resolution to a special committee of three.

Carried.

Committee appointed: Sentors May, Ernest, Campbell of Hendricks.

On motion of Senator Willard, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

APRIL 2, 1885.

The Senate met in special session at 9:30 o'clock, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Staley, of the House of Representatives.

On motion of Senator Willard, the reading of the Journal was dispensed with.

Senator Brown moved a reconsideration of the concurrent resolution passed by the Senate yesterday in regard to adjournment.

Senator Weir moved to amend by having the resolution recalled from the House.

Senator Hilligass moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Campbell of St. Joseph, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Lindley, Magee, Marshall, Null, Overstreet, Peterson, Willard, and Youche. Total, 21.

Those voting in the negative were:

Senators Brown, Bryant, Davis, Day, Ernest, Faulkner, Johnston, Macy, May, Moon, McClure, McCullough, McIntosh, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Winter, and Zimmerman. Total, 25.

So the motion was lost.

Senator Weir demanded the previous question, which was seconded.

The question being, Shall the main question be now put?

So ordered.

The question being on recalling of the resolution in reference to adjournment.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Bryant, Davis, Day, Ernest, Faulkner, Hill, Hoover, Howard, Johnson, Johnston, May, Moon, McClure, McCullough, Null, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, and Zimmerman. Total, 26.

Those voting in the negative were :

Senators Adkinson, Bailey, Benz, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Foulke, Fowler, Hilligass, Huston, Lindley, McIntosh, Overstreet, Schloss, Winter, and Youche. Total, 18.

So the motion prevailed.

Senator Campbell, of St. Joseph, called up Engrossed House Bill No. 435.

Engrossed House Bill No. 435 was read the second time, together with the following report of the committee :

MR. PRESIDENT:

Your Committee on County and Township Business, to whom was referred Engrossed House Bill No. 435, have had the same under consideration and recommend that the same do pass.

McINTOSH,
Chairman.

Report concurred in.

The President announced that he had signed Enrolled House Bill No. 402.

On motion of Senator Day, Senate Bill No. 293 was taken up.

The question being on the reconsideration of the vote by which the bill was passed.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Drake, Duncan of Hamilton, Ensley, Faulkner, Fowler, Hill, Huston, Johnson, Johnston, Magee, McClure, McCullough, McIntosh, Overstreet, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Smith of Delaware, Winter and Zimmerman. Total, 24.

Those voting in the negative were :

Senators Benz, Brown, Davis, Day, Hilligass, Hoover, May, Null, Peterson, Richardson, Shively and Thompson. Total, 12.

So the motion carried.

The following messages were received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 49, 12, 15, 324 and 5, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House, agreeable to the request of the Senate, herewith returns Senate Concurrent Resolution No. 34, in relation to adjourning on April 6.

H. C. DARNELL,
Clerk.

Senator Johnson introduced the following resolution :

WHEREAS, The Government of the United States has many offices of honor and trust in its gift, by which to reward distinguished services of individual citizens; be it

Resolved by the Senate of the State of Indiana, the House of Representatives concurring, That His Excellency, President Cleveland, be and hereby is respectfully petitioned to confer upon the distinguished Lieutenant Governor of our State, General Mahlon D. Manson, an appointment worthy of his high character as a veteran soldier and public man.

Resolved, That General Mahlon D. Manson, in the various positions he has held, as a soldier and General in the field, as a legislator and State official, and as the President of the State Senate, has given abundant evidence of his many sterling qualities of mind and character, and that he is eminently worthy of an honorable recognition by the General Government.

Resolved, That a copy of these resolutions, the free and voluntary expression of the unanimous sentiments of this General Assembly, be forwarded to His Excellency, the President of the United States, and that they be spread on the Journals of both Houses of this Legislature.

Unanimously adopted.

Senator Sellers moved to suspend the regular order of business and take up Engrossed House Bill No. 117.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Hill, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Macy, Marshall, Moon, McClure, Null, Peterson, Rahm, Sellers, Smith of Delaware, Thompson, Weir and Winter. Total, 30.

Those voting in the negative were :

Senators Day, Ernest, Fowler, Macy, May, McCullough, Overstreet, Schloss, Shively, Smith of Jay, and Willard. Total, 11.

So the motion carried.

Senator Sellers moved that Engrossed House Bill No. 117 be read a second time, the constitutional rule be suspended, and the bill be read a third time and put upon its passage.

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Howard, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McCullough, Null, Peterson, Rahm, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir and Youche. Total, 37.

Those voting in the negative were :

Senators Fowler, Magee, McIntosh, Overstreet, Schloss, Shively, Smith of Jay, and Willard. Total, 8.

So the constitutional rule was suspended.

Engrossed House Bill No. 117 was read a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Duncan of Brown, Duncan of Tip-ton, Faulkner, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Marshall, May, Moon, McClure, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Delaware, Youche, and Zimmerman. Total, 33.

Those voting in the negative were :

Senators Ernest, Lindley, McCullough, McIntosh, Schloss, Smith of Jay, and Willard. Total, 7.

So the bill passed.

The title as read was adopted.

Senator Smith, from the Committee on Enrolled Bills, made the following reports :

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 3 and 345 with Enrolled Senate Acts Nos. 3 and 345, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 341 and 251 with Enrolled Acts Nos. 341 and 251, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House Bill No. 6, and passed House Bills Nos. 288 and 549, which are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

The President announced that he had signed Enrolled Senate Acts Nos. 3, 45, 5, 341 and 251, and Enrolled House Acts Nos. 39 and 518.

Senator Bailey, from the special committee on Senate Bill No. 314, made a report.

- Report concurred in, and bill and report ordered printed.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report on Engrossed House Bill No. 172:

MR. PRESIDENT:

Your Committee on Phraseology, etc., to which was referred House Bill No. 172, begs leave to recommend that the title to said bill be stricken out and the following be adopted, to wit:

"An act to prevent the officers of agricultural societies or joint stock associations from permitting gambling on the grounds of such society or association, and providing penalties for the violation thereof."

SELLERS,
Chairman.

Adopted.

Senator Campbell of St. Joseph, from the conference committee on House Bill No. 101, made the following report:

MR. PRESIDENT:

Your committee of conference, to whom was referred Senate amendments to House Bill No. 101, have had the same under consideration, and have agreed upon and recommend the following amendments, to wit:

1. Amend the title of said bill by striking out the word "and" in line 6, page 1, and insert after the word "twenty," in said line, the words "thirty-four."

2. Amend section 1 by striking out the word "ten," on page 4, line 9, and insert in lieu thereof the word "six."

3. Amend section 3 by striking out the word "forty," in line 10, page 7, and insert "thirty."

4. Further amend section 3 by inserting after line 14, page 8, the following: *Provided, further,* That the Township Trustee may, with the consent of the Board of Commissioners, levy an additional road tax not to exceed ten cents on the one hundred dollars valuation, to be paid into the County Treasury with the first installment of taxes, and be paid by the Township Trustee to be expended for the construction and repair of bridges and culverts, and for other road purposes.

5. Further amend section 3 by inserting after the word "year," on page 8, line 17, the following: "On or before the 15th day of July."

6. Further amend section 3 by striking out the word "certificate," on page 9, line 2, and inserting in lieu thereof the word "receipt."

7. Further amend section 3 by adding at the close of said section the following: "All credits allowed by a County Treasurer for road taxes worked out, shall, upon settlement with Township Trustees, be properly distributed and charged, and Road Supervisors are required to make out and deliver to the Township Trustee, on or before the 15th day October, in each year, a sworn statement containing a true list of all persons of their respective road districts having worked out their road tax, or any part thereof during the year, together with the amounts worked out by each person."

8. When said sections are so amended, sections 3 and 4 should be transposed.

9. Further amend by adding the following sections:

That section 34 of the above entitled act be amended so as to read as follows: All roads running on township, county or road district lines, are assigned for construction and repairs as follows: Roads running north and south, the north half is assigned to the township or townships on the west side of such line, and the south half is assigned to the township or townships on the east side of such line; and roads running east and west, the west half is assigned to the township or townships on the south side of such line, and the east half to the township or townships on the north side of said line. And the roads and highways so assigned shall be under the control of and kept in order by the Township Trustee of the township to which they are assigned. All roads running on lines dividing this State from other States shall be worked in conjunction with such other States, and shall be assigned for construction and repairs in the same manner as above provided in cases where roads run on township and county lines.

Amend the above entitled act by adding section 5, which shall read as follows:

All roads running on lines dividing road districts shall be

assigned for construction and repairs in the same manner as above provided in cases where roads run on township and county lines.

Also amend by numbering section 5, section 6, and when so amended the committee recommend the passage of the bill.

On the part of the House: { GORDON,
SMITH, of Tippecanoe,
On the part of the Senate: { BROWN,
CAMPBELL, of St. Joseph,
Conference Committee.

Report concurred in.

Senator Willard, from the Committee on Finance, made the following report on Engrossed House Bill No. 479:

MR. PRESIDENT:

Your Committee on Finance, to which was referred House Bill No. 479, would respectfully report that they have had the same under consideration, and recommend the following amendments:

1. In section 2, page 3, line 4, printed bill, strike out the word "also," and insert in lieu thereof the word "including."

2. In section 2, item 2, page 6, line 2, printed bill, strike out the words "two hundred and fifty," and insert the words "six hundred."

3. In section 2, item 3, page 6, between lines 8 and 9, printed bill, and line 9½, insert "for clerk of the Auditor of State, one thousand dollars."

4. In section 2, item 12, page 22, line 3, of printed bill, strike out "twelve thousand five hundred," and insert in lieu thereof the words "twenty-five thousand;" also, in said section, item and page of printed bill, in line 8, strike out the word "provided" and all following words up to the word "university" in line 16.

5. In section 2, item 12, page 23, lines 9 and 10 of printed bill, strike out the words "including publication of report."

6. In section 2, item 13, page 26, between lines 2 and 3 of printed bill, insert line 2½ in the following words: "*Provided, That all specific appropriations herein made for additional building and machinery for the State Prison North, shall be paid out of the earnings of said prison.*"

And when so amended, a majority of your Committee on Finance recommend that said bill do pass.

J. H. WILLARD,
Chairman.

Senator Willard moved that the Senate resolve itself into a Committee of the Whole for the consideration of the Appropriation Bill and Report of the Finance Committee.

Adopted.

At 5 o'clock P. M., the committee arose, reported progress, and asked leave to set again to-morrow morning.

Which was granted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has passed House Joint Resolution No. 2, proposing an amendment to the Constitution, and the same with ayes and noes thereon has been entered at length on the Journal of the House; also, that the House has concurred in Senate amendments to House Bill No. 172.

H. C. DARNELL,
Clerk.

On motion of Senator Willard, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

APRIL 3, 1885.

The Senate met in special session at 9:30 o'clock with Senator Magee in the chair.

Opened with prayer by the Rev. Mr. Frazee, of the House.

Senator Willard moved the reading of the Journal be dispensed with.

Carried.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, April 2, 1885.

To the Honorable, the President of the Senate:

By the direction of the Governor, I have the honor to inform the Senate that on yesterday he received, and to-day approved and signed Senate Enrolled Acts Nos. 25, 46, 62, 66, 91, 132 and 137 and has this day caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
- Private Secretary.

Senator Smith, of Jennings, made a report from the special committee on Engrossed House Bill No. 401.

Report concurred in.

Senator Smith, of Delaware, asked leave of absence for Senator Campbell, of St. Joseph.

Granted.

Senator Faulkner asked leave of absence for Senator Benz, for an indefinite period from Monday next.

Granted.

Senator Foulke moved to suspend the constitutional rule, and read Engrossed House Bill No. 534 a first time by sections, a second time by title, a third time by sections, and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Huston, Johnson, Johnston, Macy, Magee, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir and Zimmerman. Total, 36.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 534 was read a first time by sections, a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Benz, Brown, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Hill, Hilligass, Huston, Johnson, Johnston, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir and Zimmerman.
Total, 36.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Weir, from the conference committee on House amendments to Senate Concurrent Resolution No. 32, made the following report :

MR. PRESIDENT :

Your committee of conference, to whom was referred Senate Resolution No. 32, providing for an expert, etc., would report that they have fully considered the subject, and have agreed upon, providing that said expert shall not be paid to exceed two hundred dollars.

We recommend that said resolutions be adopted.

On part of the Senate :

WEIR,
SMITH.

On part of the House of Representatives :

H. McMULLEN,
SMITH, of Tippecanoe.

Report concurred in.

On motion of Senator Bailey, House Bill No. 56 was taken up, and committee report read recommending the passage of the bill.

Report concurred in.

Senator Bailey moved that Engrossed House Bill No. 56 be read a third time.

Carried.

Engrossed House Bill No. 56 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Duncan of Brown, Ensley, Ernest, Faulkner, Hilligass, Hoover, Johnson, Johnston, Moon, McClure, Null, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 27.

Those voting in the negative were:

Senators Campbell of Hendricks, Davis, Drake, Duncan of Hamilton, Foulke, Fowler, Hill, Huston, Lindley, Macy, Magee, Marshall, May, McIntosh, Overstreet, Richardson, Winter and Youche. Total, 18.

So the bill passed.

The title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 44, 504, 34, 41, 23, and Senate Concurrent Resolution No. 35, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Willard moved that the Senate resolve itself into a Committee of the Whole, to consider the Appropriation Bill, being House Bill No. 479.

Carried.

On motion of Senator Willard, the Committee of the Whole Senate arose.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 63 and 43, Senate Bill No. 264, and agreed to amended Senate Concurrent Resolution No. 32, and passed House Concurrent Resolution No. 10, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

Senator Foulke moved that House Concurrent Resolution No. 10 be taken up.

Carried.

House Concurrent Resolution No. 10 was taken up and unanimously adopted.

Senator Willard moved to reconsider the vote by which House Concurrent Resolution was passed, and that the motion do lie on the table.

Carried.

The Committee of the Whole Senate resumed its sitting and consideration of the general appropriation bill.

Senator Foulke moved that the Committee of the Whole Senate do now arise, report progress, and ask leave to sit again to-morrow morning at 9:30.

Carried.

Committee arose, and through its chairman, Senator Magee, reported progress.

On motion of Senator Magee, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING.

APRIL 4, 1885.

Senate met in special session at 9:30 o'clock, Lieutenant Governor Manson in the chair.

Session opened with prayer by Hon. Mr. Smith, of the House of Representatives.

Journal read in part, and on motion of Senator Benz the further reading was dispensed with.

Senator Faulkner introduced Senate Bill No. 377, entitled :

A bill for an act for the relief of Jane F. Brown, upon whose land in the county of Ripley, and State of Indiana, a mortgage has been forged to the State of Indiana for \$500.

Senator Faulkner moved that the constitutional rule be suspended, that Senate Bill No. 377 be read a second time by title, a third time by sections, and placed upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard and Youche. Total, 40.

No Senator voting in the negative.

So the motion carried and the constitutional rule was suspended.

The President announced that he had signed House Enrolled Acts Nos. 56, 222, 172, 6, 47 and 534.

Senator Magee asked leave of absence until Monday, at 10 A. M.
Granted.

Senator Willard moved that when the Senate adjourns at noon to-day, that it be until 10 o'clock Monday.

Lost.

Senator Youche moved that when the Senate adjourn this evening, it adjourn until Monday next, at 11 o'clock A. M.

Carried.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 108 and 145, and herewith transmit the same to the Senate. Also, that the House has adopted Senate amendments to House Bill No. 101.

H. C. DARNELL,
Principal Clerk.

The constitutional rule was suspended, Senate Bill No. 377 was read a second time by title, considered engrossed, read a third time by sections, and placed upon its passage.

The question being, Shall the bill pass ?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hoover, Huston, Johnston, Macy, Marshall, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter and Youche. Total, 36.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Brown, from the Committee on Inspection of the Journal, made the following report:

MR. PRESIDENT:

Your Committee on the Supervision and Inspection of the Journal of the Senate, beg leave to report that they have examined said Journal up to and including Thursday, April 2, 1885, and find the same correct.

E. W. BROWN,
Chairman.

Concurred in.

Senator Campbell, of Hendricks, asked leave of absence for Senator Zimmerman.

Granted.

Senator Thompson asked leave of absence for Senator Davis.

Granted.

Senator Smith, of Jay, asked leave of absence for himself until Monday at 11 o'clock.

Granted.

Senator Sellers asked leave of absence for Senator Schloss until Monday at 10 o'clock.

Granted.

Senator Shively asked leave of absence for Senator Rahm until Monday at 11 o'clock.

Granted.

Senator Adkinson made a report on Senate Bill No. 358.

Report concurred in.

Senator Thompson called up House Bill No. 336.

Which was read a first time and referred to a special committee of three.

The Chair appointed as such committee, Senators Weir, Winter and Foulke.

On motion of Senator May, House Bill No. 384 was taken up and read a third time, and put upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hoover, Johnston, Macy, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Sellers, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter and Youche. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House respectfully requests the return of Senate Bill 145, just transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

Request granted.

On motion of Senator Willard, the Senate went into Committee of the Whole, and resumed consideration of the General Appropriation Bill.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Bills No. 387 and 521, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

The Committee of the Whole arose and reported progress.

Senator Youche moved the report of the committee be adopted, bill and amendments be printed, and made a special order for Monday at 2 o'clock p. m.

Carried.

Senator Youche called up Engrossed House Bill No. 92, which was read first time and referred to a special committee of three.

The President appointed as such committee, Senators Youche, Willard, Winter.

Senator Willard asked that Senate Bill No. 242, be referred to the same committee.

Granted.

On motion of Senator McCullough, House Bill No. 130 was taken up, read a third time, and put upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Macy, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter, Youche. Total, 34.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

On motion of Senator Benz, House Bill No. 504 was taken up, that the constitutional rule be suspended, that the bill be read a first, second, and third time, and put upon its passage.

The roll being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Macy, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter, Youche. Total, 34.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 504 was read a first, second and third times and placed upon its passage. . . .

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Macy, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter, and Youche. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Brown, from the special committee to whom was referred Engrossed House Bill No. 200, offered the following report :

MR. PRESIDENT :

Your special committee to which was referred Engrossed House Bill No. 200, having had the same under consideration begs leave to recommend that section 2 of said bill be stricken out, and that section 3 be numbered section 2, and that when said bill is so amended that the same do pass.

Concurred in.

Engrossed House Bill No. 34 was, on motion of Senator Campbell of Hendricks, taken up and read a first time.

Senator Campbell of Hendricks moved that the constitutional rule be suspended, the bill read a second time by title, a third time by sections and placed upon its passage.

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke,

Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Marshall, May, McClure, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter, and Youche. Total, 37.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 34 was read a first time by sections, a second time by title and a third time by sections and placed upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Hilligass, Huston, Johnson, Johnston, Macy, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter and Youche. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title was read and referred to the Committee on Phraseology.

Senator McIntosh called up House Bill No. 124.

House Bill No. 124 was taken up, and read a third time placed upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

No quorum voting.

Senator Johnston called up House Bill No. 401.

Senator Foulke moved that the bill be printed and made a special order for 3 o'clock Monday.

Carried.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has passed Senate Bills Nos. 323, 349 and 299, and House Concurrent Resolution No. 10, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

Leave of absence was granted to Senator Peterson, until Monday 2 o'clock P. M.

Leave of absence was granted to Senator Null, until Monday 2 o'clock P. M.

On motion of Senator Brown, Senate adjourned.

AFTERNOON SESSION.

APRIL 4, 1885.

Senate met at 2 o'clock, Senator Fowler in the chair.

Senator Bailey called up Senate Bill No. 267, and moved that it be read a second time.

Motion carried.

The following House Concurrent Resolution No. 32 was called up by Senator Weir and read.

Senator Weir moved its adoption, and that a copy of the same be sent to Lieutenant Denny.

Carried.

WHEREAS, The sailors and marines of the U. S. fleet at Alexandria, Egypt, landed on July 14, 1882, for the purpose of assisting in the restoration of order, arresting the destruction of life and property and establishing the American consulate, and,

WHEREAS, First Lieutenant Frank L. Denny, U. S. Marine Corps, a citizen of the State of Indiana, was one of the officers of the detail ordered on shore, and although he landed as a subordinate, he was the next morning placed in command of

the marines by the Admiral commanding, and that all reports, private and official, speak in the most praiseworthy terms of the services of Lieut. Denny while on shore in the discharge of his arduous and dangerous duties, in bringing order and security out of incendiarism, murder and pillage.

WHEREAS, The sailors and marines under the command of Lieutenant Denny, protected hundreds of American men, women and children from the revengeful, fanatical and infuriated Arabs, and protected and preserved monuments of antiquity to science and civilization, through hardships and danger, fighting fire and Arabs; therefore, be it

Resolved by the House, the Senate concurring, That the people of this State note with pride the faithful and heroic devotion to duty displayed by Lieut. Frank L. Denny, a citizen of this State, in the discharge of his arduous and dangerous duties in the protection of life, property, and the honor of this nation, upon that occasion, and the thanks of the people of Indiana are hereby tendered to him.

On motion of Senator Smith, of Jennings, House Bill No. 387 was referred to a special committee of three.

The Chair appointed Senators Smith of Jennings, Weir, and Hilligass as said committee.

Senator Weir called up Senate Bill No. 336, and the same was read with the committee report.

Senator Smith, of Jennings, moved that House Bill No. 71 be made a special order for next Tuesday at 2 o'clock P. M.

Carried.

Engrossed House Bill No. 33 was read the first time and referred to the Committee on Roads.

Senator McIntosh asked leave of absence for Doorkeeper Cope for an indefinite period.

Granted.

Engrossed House Bill No. 41 was read the first time and referred to the Committee on Drainage and Swamp Lands.

Engrossed House Bill No. 43 was read the first time and referred to the Committee on Corporations.

Engrossed House Bill No. 44 was read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 69 was read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 168 was read the first time and referred to the Committee on Judiciary.

Engrossed House Bill No. 288 was read the first time and referred to the Committee on Roads.

Engrossed House Bill No. 292 was read the first time and referred to the Committee on Roads.

Engrossed House Bill No. 406 was read the first time and referred to the Committee on Fees and Salaries.

Engrossed House Bill No. 473 was read the first time and referred to the Committee on Finance.

Engrossed House Bill No. 521 was read the first time and referred to the Committee on Roads.

Engrossed House Bill No. 549 was read the first time and passed to a second reading.

On motion of Senator Foulke, House Concurrent Resolution No. 6 was read the second time, and the amendments thereto ordered engrossed.

On motion of Senator Campbell, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

APRIL 6, 1885.

The Senate met in special session at 11 o'clock, Lieutenant-Governor Manson in the chair.

The session was opened with prayer by the Hon. Mr. Townsend, of the House of Representatives.

The journal was read in part, and on motion of Senator Bailey the further reading was dispensed with.

Senator Bailey moved that Senate Bill 314 be taken up and read a third time.

Carried.

Senate Bill No. 314 was taken up and read a third time.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Howard, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Richardson, Schloss, Sellers, Shively, Smith of Jay, Thompson, Weir, Willard, Winter and Youche. Total, 35.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 63, a bill authorizing County Commissioners to change the course, direction or location of the channel of any stream of water under certain conditions, and the same is herewith transmitted to the Senate for its action.

H. C. DARNELL,
Principal Clerk.

On motion of Senator Ensley, Senate Bill No. 229 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your committee, to whom Senate Bill No. 229 has been committed, have had the same under consideration, and beg leave to report the following amendment:

Strike out of section 5, in line 64, the figures "\$25.00" and insert "\$15.00;" also, the figures "\$20.00" and insert "\$50.00;" also, in line 65, strike out the figures "\$100.00" and insert "\$25.00;" in line 66 strike out the figures "\$200.00" and insert "\$100.00;" in line 70 strike out the figures "\$500.00" and insert "\$100.00;" in line 71 strike out the figures "\$200.00" and insert "\$500.00."

Strike out all of section six, and when so amended, your committee recommend that the same do pass. D. C. BRYANT,
Chairman.

The report was concurred in.

Senator Ensley moved that the constitutional rule be suspended and Senate Bill No. 229 be read a third time and placed upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Howard, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McCullough, McIntosh, Overstreet, Richardson, Schloss, Sellers, Shively, Thompson, Weir, Winter and Youche. Total, 35.

Senator Willard voting in the negative.

So the constitutional rule was suspended.

Senator Youche offered the following amendment:

MR. PRESIDENT:

I move to amend Senate Bill No. 229, as follows:

Add to section 4, the following: "But nothing herein, nor in any other act or law of this State, shall prohibit the manufacture of oleomargarine in this State: *Provided*, The same is marked and stamped as such and contains no substance or ingredient deleterious to health."

On motion of Senator Sellers, the Senate adjourned.

AFTERNOON SESSION.

APRIL 6, 1885.

Senate met at 2 o'clock P. M., with Lieutenant-Governor Manson in the chair.

The question being on Senator Youche's amendment to Senate Bill No. 229.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Day, Drake, Duncan of Brown, Foulke, Hill, Johnson, Lindley, Magee, May, McClure, McCullough, Peterson, Richardson, Schloss, Sellers, Weir, Youche. Total, 19.

Those voting in the negative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Davis, Ensley, Ernest, Faulkner, Fowler, Howard, Huston, Johnston, Macy, Marshall, Moon, McIntosh, Null, Overstreet, Shively, Willard, Winter Zimmerman. Total, 22.

So the amendment was lost.

Senate Bill No. 229 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Bryant, Campbell of Hendricks, Drake, Duncan of Brown, Ensley, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, Overstreet, Shively, Willard and Winter. Total, 19.

Those voting in the negative were:

Senators Adkinson, Benz, Davis, Day, Ernest, Faulkner, Foulke, Fowler, Hill, McCullough, McIntosh, Null, Peterson, Richardson, Sellers, Smith of Jay, Thompson, Weir, Youche and Zimmerman. Total, 20.

So the bill failed to pass.

Senator Foulke moved to reconsider the vote on Senate Bill No. 229, and refer the bill to a special committee of three with instructions to report to-morrow A. M.

Senator Willard moved to lay the motion on the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Brown, Day, Ernest, McIntosh, Weir and Willard. Total, 7.

Those voting in the negative were:

Senators Adkinson, Benz, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Brown, Ensley, Faulkner, Foulke, Fowler, Hill, Howard, Huston, Johnson, Macy, Magee, Marshall, May, Moon, McClure, McCullough, Null, Overstreet, Peterson, Richardson, Schloss, Sellers, Smith of Jay, Thompson, Winter, Youche and Zimmerman. Total, 33.

So the motion was lost.

The question being on Senator Foulke's motion.

The same was carried.

The President appointed the following committee: Senators Ensley, Foulke and Magee.

Engrossed House Bill No. 387 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your special committee to whom was referred for its consideration Engrossed House Bill No. 387, respectfully report the same back to the Senate with the recommendation that it do pass.

M. H. Weir.

Engrossed House Bill No. 124 was taken up, and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Ernest

Faulkner, Fowler, Hill, Huston, Johnson, Johnston, Lindley, Macy, Marshall, McClure, McCullough, McIntosh, Overstreet, Peterson, Richardson, Schloss, Shively, Thompson, Weir, Winter and Youche. Total, 32.

Those voting in the negative were :

Senators Sellers, Willard and Zimmerman. Total, 3.

So the bill passed.

The title was read.

Senator Winter offered the following amendment to the title of House Bill No. 124:

Amend the title by adding "being section 318 of the Revised Statutes of 1881."

Adopted.

And the title as amended was adopted as the title of the bill.

The House amendments to Senate Bill No. 368 were concurred in.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, April 6, 1885.

Gentlemen of the Senate :

Senate Bill No. 341, "An act authorizing persons having claims against the State of Indiana to bring suit in the Supreme Court of the State, and authorizing persons to bring suit against the State in the Circuit Courts to quiet title to real estate in certain cases, prescribing the duties of the Attorney General and Prosecuting Attorneys in such cases, and declaring an emergency," which was presented to me for approval, is herewith returned to the house in which it originated, with my objections.

It is not a pleasant duty for me to interpose objections to the legislative wisdom of the General Assembly, and I would not do so were I able to convince my judgment from any view that I might take of this bill that it ought to become a law. If the Legislature, upon a reconsideration of this bill, shall deem it a proper and necessary measure, the way is open for its enactment into a law without my approval. I fully recognize the

importance of establishing some tribunal for the adjustment of claims against the State, and a law making provisions for the same, with proper safeguards, would meet my approval.

Section 1 of this act provides that any person or persons having or claiming to have a money demand against the State may bring suit therefor in the Supreme Court by filing a complaint and causing summons to be served on the Attorney General.

Section 3 of the act provides that, upon the final decree or judgment of the Court finding any sum to be due any person or persons from the State, the Auditor of State is directed to draw his warrant upon the Treasurer of State for the amount of the judgment, including interest, in favor of the claimant, his heirs or assigns, which warrant shall be paid by the Treasurer of State out of such funds in the treasury as the Court may direct.

This is a most extraordinary provision—as far as I am advised without precedent in any State in the Union. The United States Court of Claims at Washington passes only upon the justness of the claim, and possesses no authority to order the payment of the judgment it may render. Its action is merely advisory. With Congress is still left the authority to decide as to the correctness of the claim or to make appropriations to pay it. But this bill makes the decree of the Court final, and directs the payment of the judgment rendered by the Court.

It is provided in article 10, section 3, of the Constitution, that “no money shall be drawn from the Treasury but in pursuance of appropriations made by law.” But this bill makes it the duty of the Auditor of State to draw his warrant on the Treasurer of State for the payment of the judgment out of any funds in the Treasury designated by the Court, and thereby raises a grave question as to the constitutionality of the bill. It virtually repeals all the laws now on the statute books, authorizing the State House Commission and other provisional boards to determine their contracts, adjust allowances and expenses by giving every person or persons who may have a claim against the State, arising out of contract with said boards of construction, or trustees of the various institutions of the State, the right to ignore said boards with whom the contract may have been made, and sue in the Supreme Court for the claim.

This bill is objectional in another feature, that no legislative appropriations could be made with any degree of certainty to meet the wants of any State institution, because the same

would be subject to the order of the Court as well as the proper board of any such institution. One judgment of the Court might exhaust the appropriation and leave the institution in no better condition than if no appropriation had been made.

The bill makes no provision for obtaining testimony and procuring the attendance of witnesses; it loads the Supreme Court with additional business not purely judicial, and to some extent changes it from a judicial court of supreme judicature into a court of original jurisdiction for the investigation of claims, without regard to the amount in controversy. It does not authorize the employment of additional counsel by the State, but leaves the State with no legal advice in its defense, except that which the Attorney General may be able to give in connection with his other official business. The State will always be at a disadvantage in every suit, and I think I can safely say that if this bill becomes a law a very large number of suits will be instituted against the State at once.

The State Treasury is the great heart of the commonwealth, from which comes the blood that gives life to all the institutions and machinery of the State, and it should be well protected, and the approaches to it guarded with care. The State, at least, should have all the opportunities for its protection that an individual possesses in his defense.

Section 8 of this bill provides that in all cases where the owner of real estate, purchased from the State, and the same has been paid for and no patent or deed has been issued and recorded therefor, such owner may bring his action in the proper Circuit Court where such real estate is situate, to quiet his title thereto, and may make the State a party the same as an individual. Under this section many suits might be pending at the same time in as many different counties, and it is, therefore, questionable whether the ordinary service of ten days would not be too short to allow a full investigation and examination of old records, referring to the sale of lands by the State, now preserved in the office of the Auditor of State. In most cases, if not in all, all business between the Auditor of State and the proper prosecuting attorney will of necessity be transacted by correspondence. It would seem proper in case of a suit of the above character, that the bill should provide suitable means for the State to procure any necessary testimony and allow the benefit of an appeal without giving a bond.

The question being, Shall the bill pass, notwithstanding the Governor's veto?

The roll was called and resulted at follows:

Those voting in the affirmative were:

Senator Davis. Total, 1.

Those voting in the negative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Howard, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Shively, Smith of Jay, Thompson, Weir, Willard, Winter, Youche, and Zimmerman. Total, 41.

So the bill failed to pass.

Senator Campbell, of Hendricks, introduced Senate Bill No. 378, entitled:

A bill for an act authorizing persons having claims against the State of Indiana to bring suit therefor in the Appellate Court of the State of Indiana against the State of Indiana, and authorizing persons to bring suits in the Circuit Courts of Indiana to quiet title to lands, and providing for appeals to the Supreme Court, and declaring an emergency.

Read the first time and referred to the Committee on Judiciary.

The special order for 2 o'clock being Engrossed House Bill No. 479, the same was taken up and read the second time, together with the following report of the Committee of the Whole:

MR. PRESIDENT:

The Committee of the Whole, who have had the Appropriation Bill under consideration, the same being House Bill No. 479, beg leave to report that they have made the following amendments:

In line 10, page 6, insert the word "ten" in lieu of the word "twelve."

In line 13, page 6, insert the word "ten" in lieu of the word "twelve."

On page 12, between lines 7 and 8, to stand as line 7½, insert the words "for Messenger for the Judges of the Supreme Court, \$860."

In line 6, page 17, strike out the word "Asylum" and insert the word "Hospital."

After line 13, on page 21, the following was added: "*Provided, All moneys expended or paid out under the provisions of this act, or under the appropriation bill heretofore passed for the support or maintenance of any of the penal, reformatory or benevolent institutions of the State shall be made only upon the original bills, receipts and vouchers returned to the Auditor of State, at each monthly or quarterly settlement.*"

In line 18, page 21, by inserting the following: "For repair of building, museum, library, chemical and botanical department of the State University at Bloomington, destroyed by fire, the additional sum of \$20,000."

Also, on page 22, in line 1 and 2, the words "*eighteen thousand five hundred dollars*" were stricken out and "*twenty-four thousand dollars*" inserted in lieu thereof.

Also, strike out in line 3, page 18, after the word "twenty" the word "five" and insert the word "seven" in lieu thereof; also, strike out of line 7, on page 18, the word "four" and insert in lieu thereof "two."

Also, on page 12, at close of line 7, "for Messenger of Supreme Court \$600."

Strike out in line 1, on page 4, the word "twelve" and insert the word "fourteen" in lieu thereof.

The committee arose and reported progress, and asked leave to sit again to-morrow morning at 9:30 o'clock.

Add after line 3, page 30, "for the State Horticultural Society to be drawn by the President thereof, four hundred dollars."

Insert after the word "appropriated" line 8, page 29, the words "made in this act."

Insert after the word "dollars" in line 19, page 32, the words "for repairs of buildings, museum, library, chemical and botan-

ical departments of the State University at Bloomington, destroyed by fire, the additional sum of \$20,000." Also, twenty-five thousand dollars for the completion of buildings and work shops, and for the purchase of machinery for Purdue University.

Strike out the word "the" in line 4, page 30, and insert in lieu the word "any."

Insert on page 16, line 3, after the word "dollars" for additional water supply for the Hospital for the Insane for fire protection, "fifteen thousand dollars or so much thereof as may be necessary."

Insert after the word "expenses" in line 16 page 31, the words "and for additional water supply for the Hospital for the Insane for fire protection, fifteen thousand dollars or so much thereof as may be necessary."

Senator Brown moved that that part of the committee report in relation to the salary of the Adjutant General be not concurred in.

Senator Youche moved to amend by adopting the committee report.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Davis, Day, Duncan of Brown, Ensley, Foulke, Hill, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, Null, Overstreet, Peterson, Schloss, Shively, Smith of Jay, Thompson, Weir, Willard, Winter and Youche. Total, 30.

Those voting in the negative were:

Senators Benz, Brown, Ernest, Faulkner, Fowler Johnston, McCullough, McIntosh, Richardson, Sellers and Zimmerman. Total, 11.

So the motion was carried and that part of the committee reported adopted.

On motion of Senator Smith, of Jay, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

TUESDAY MORNING.

APRIL 7, 1885.

Senate met in special session at 9:30 o'clock, with Lieutenant-Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Frazee, of the House of Representatives.

On motion of Senator Ernest, the reading of the journal was dispensed with.

Senator May, from special committee on House Concurrent Resolution No. 9, made the following report:

MR. PRESIDENT:

Your special committee to whom was referred House Concurrent Resolution No. 9, have had the same under consideration, and the committee unanimously direct me to report the same to the Senate with the recommendation that it be adopted, and that the various amounts therein be allowed as amended by the House.

H. J. MAY, Chairman.

CAMPBELL, of Hendricks.

ERNEST.

Report concurred in.

Senator Campbell, of Hendricks, moved that the resolution be adopted.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Bryant, Davis, Day, Drake, Duncan of Brown, Foulke, Johnson, Macy, Magee, Marshall, May, Moon, McClure, Null, Peterson, Rham, Schloss, Sellers, Shively, Smith of Jay, Thompson, Weir, Youche. Total, 26.

Those voting in the negative were:

Senators Benz, Ernest, Faulkner, Fowler, Hill, Hoover, Huston, McIntosh, Willard, Zimmerman. Total, 10.

So the resolution was adopted.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 5, 264, 324, 15, 12, 49, 108, 349, 323, 299, and 368, with Enrolled Senate Acts Nos. 5, 264, 324, 15, 12, 49, 108, 349, 323, 299, and 368, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

On motion of Senator Day, Engrossed Senate Bill No. 293 was put upon its passage.

The question being, 'Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Davis, Day, Duncan of Brown, Foulke, Johnson, Macy, Magee, May, Null, Peterson, Schloss, Shively, Thompson and Weir. Total, 16.

Those voting in the negative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Drake, Duncan of Hamilton, Fowler, Hill, Huston, Johnston, Lindley, Marshall, McClure, McCullough, McIntosh, Overstreet, Rahm, Richardson, Smith of Jennings, Smith of Jay, Smith of Delaware, Willard, Winter, Youche and Zimmerman. Total, 25.

So the bill failed to pass.

Senator Adkinson offered the following motion:

MR. PRESIDENT:

I move that 500 copies of the ditch and drainage act be printed for distribution.

Adopted.

The President announced that he had signed Enrolled Senate Bills Nos. 5, 264, 324, 15, 12, 49, 108, 349, 323, 299, and 368.

Leave of absence was granted Senator Faulkner for the day.

Senator Foulke, from special committee on Senate Bill No. 229, made the following report:

MR. PRESIDENT:

Your special committee to whom was referred Senate Bill No. 229, report the same back amended as follows: Add to section 4 the following: But nothing herein, nor in any other act or law of this State, shall prohibit the manufacture of oleomargine or suine in this State: *Provided*, The same is marked and stamped as such and contains no substance or ingredient deleterious to health.

NICHOLAS ENSLEY,
Chairman.

Senator Willard offered the following as a substitute for the report of the special committee on Senate Bill No. 229:

MR. PRESIDENT:

I move as a substitute to the report of the special committee to whom was referred Senate Bill No. 229, the following: In section 4, line 42, strike out the words: "Oleomargarine, suine, beef fat, lard, or any other foreign substance with any butter or cheese, intended for human food;" in lines 51, same section, strike out the words, "oleomargarine or suine;" in lines 55 and 56 strike out the words, "oleomargarine and suine;" in line 59 strike out the words, "oleomargarine or suine."

The question being on Senator Willard's substitute.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Duncan of Hamilton, Fowler, Huston, Johnston, Lindley, Macy, Marshall, Moon, McIntosh, Null, Overstreet, Shively, Smith of Jennings, Smith of Delaware, Thompson, Willard and Winter. Total, 18.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Foulke, Hill, Howard, Johnson, Magee, McClure, McCullough, Peterson, Rahm, Schloss, Sellers, Weir, Youche and Zimmerman. Total, 22.

So the substitute failed to pass.

The question being on the adoption of the report of the committee.

Those voting in the affirmative were :

Senators Benz, Brown, Bryant, Campbell of Hendricks, Day, Drake, Duncan of Brown, Foulke, Hill, Howard, Johnson, Lindley, Magee, McClure, McCullough, Peterson, Richardson, Schloss, Sellers, Weir, Youche and Zimmerman. Total, 22.

Those voting in the negative were :

Senators Adkinson, Bailey, Duncan of Tipton, Fowler, Huston, Johnston, Macy, Marshall, Moon, McIntosh, Null, Overstreet, Rahm, Shively, Smith of Jennings, Smith of Delaware, Thompson, Willard and Winter. Total, 19.

So the report was concurred in.

The question being on the passage of Senate Bill No. 229 as amended by the committee.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Bryant, Campbell of Hendricks, Drake, Duncan of Brown, Foulke, Hill, Howard, Johnson, Magee, McClure, McCullough, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Weir, Youche, and Zimmerman. Total, 22.

Those voting in the negative were :

Senators Adkinson, Bailey, Davis, Day, Duncan of Hamilton, Fowler, Huston, Johnston, Lindley, Marshall, Moon, McIntosh, Overstreet, Shively, Smith of Jennings, Smith of Delaware, Thompson, Willard, and Winter. Total, 21.

So the bill failed to pass for the want of a constitutional majority.

Senator McCullough, from the Committee on the Judiciary, made a report on Engrossed House Bill No. 44, recommending that the bill do lie on the table.

Senator McCullough, from the Committee on the Judiciary, made a report on Engrossed House Bill No. 361, recommending that said bill be read a second time and referred back to the committee.

Report concurred in.

Engrossed House Bill No. 361 was read a second time and referred back to the Committee on Judiciary.

The special order being the consideration of the Appropriation Bill, the same being House Bill No. 479.

Senator Fowler moved to amend by striking out the second and third lines on page 4, the same being the salary of the Adjutant General's clerk.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Ernest, Fowler, Johnston, McCullough, McIntosh, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Thompson, Willard, Winter, and Zimmerman. Total, 15.

Those voting in the negative were:

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Brown, Foulke, Hill, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, Moon, McClure, Null, Overstreet, Peterson, Schloss, Smith of Delaware, Weir, and Youche. Total, 26.

So the motion was lost.

The President announced that he had signed Enrolled House Acts Nos. 384, 117 and 130.

On motion of Senator Brown, the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

APRIL 7, 1885.

Senate met at 2 o'clock P. M., with Lieutenant Governor Manson in the chair.

On motion of Senator Campbell, of Hendricks, Senate Bill No. 71 was made a special order for to-morrow at 10 o'clock.

Senator Winter presented a memorial from Dr. Stevens, late member of the State Board of Health.

Senator Smith, of Jennings, asked leave of absence for Senator Smith, of Delaware.

Granted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bills Nos. 564, 565, 550, 562, 472, 542, 94 and 86; also, Senate Bill No. 314; also, that the House has concurred in Senate amendments to House Bill No. 124, and the same are herewith transmitted to the Senate for its action.

H. C. DARNELL,
Principal Clerk.

The consideration of the appropriation bill was continued.

Senator Brown offered the following amendment:

MR. PRESIDENT:

I move to strike out of line 9, page 4, after the word fund "two" and insert in lieu thereof the word "one."

The question being on the adoption of Senator Brown's amendment.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Day, Duncan of Hamilton, Ernest, Johnston, McIntosh, Rahm, Richardson, Shively and Willard.
Total, 11.

Those voting in the negative were:

Senators Adkinson, Bryant, Campbell of Hendricks, Davis, Drake, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Macy, Magee, Marshall, Moon, McClure, Overstreet, Peterson, Schloss, Sellers, Smith of Jennings, Thompson, Weir, Winter, Youche and Zimmerman. Total, 26.

So the amendment was not adopted.

Senator Willard offered the following amendment to House Bill No. 479:

MR. PRESIDENT :

I move to strike out "two thousand" and insert "fifteen hundred," in line 9 of section 2.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Duncan of Hamilton, Duncan of Brown, Ernest, Hoover, Johnson, Johnston, Marshall, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Thompson, Willard and Zimmerman. Total, 22.

Those voting in the negative were:

Senators Adkinson, Bryant, Campbell of Hendricks, Davis, Day, Drake, Foulke, Hill, Huston, Lindley, Macy, Magee, May, Moon, McClure, Smith of Jennings, Weir, Winter and Youche. Total, 19.

So the amendment was adopted.

Senator Youche moved that the report of the Committee on Finance in reference to the fund for the distribution of law documents, etc., by the Secretary of State be adopted.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bryant, Campbell of Hendricks, Davis, Drake, Duncan of Brown, Hill, Johnson, Johnston, Lindley, Macy, Magee, Moon, McClure, Null, Overstreet, Rahm, Schloss, Smith of Jennings, Smith of Jay, Weir, Willard, Youche and Zimmerman. Total, 24.

Those voting in the negative were:

Senators Bailey, Benz, Brown, Day, Duncan of Tipton, Ernest, Fowler, Hilligass, Huston, Marshall, May, McIntosh, Peterson, Richardson, Sellers, Shively, Thompson and Winter. Total, 18.

So the motion was carried.

Senator Benz offered the following amendment:

MR. PRESIDENT:

I move to amend by striking out the words "one thousand," in line 8 $\frac{1}{2}$, page 6, and insert in lieu thereof the words "twelve hundred."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Bryant, Day, Hilligass, Hoover, Howard, Johnson, Johnston, Lindley, Magee, May, McClure, McCullough, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Jay, Weir, Willard, Winter and Mr. President. Total, 23.

Those voting in the negative were:

Senators Bailey, Brown, Campbell of Hendricks, Davis, Drake, Duncan of Hamilton, Ernest, Foulke, Hill, Huston, Macy, Marshall, Moon, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Thompson, Youche and Zimmerman. Total, 22.

So the amendment was adopted.

Senator Hilligass offered the following amendment:

Amend item 3, line 10, by inserting "twelve" instead of "ten."

Adopted.

Senator Hilligass offered the following amendment to House Bill No. 479:

MR. PRESIDENT:

I move to amend by striking out the word "one thousand" and insert in lieu thereof the words "twelve hundred," in line 13, page 6, of section 2.

Adopted.

Senator Smith, of Jay, offered the following amendment:

MR. PRESIDENT:

I move to amend the bill by striking out in line 14, page 7, the words, "six hundred" and insert "one thousand."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bryant, Campbell of Hendricks, Duncan of Brown, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Macy, Magee, May, Moon, McClure, Overstreet, Peterson, Sellers, Smith of Jennings, Smith of Jay, Weir, Willard and Winter. Total, 23.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Davis, Day, Drake, Duncan of Hamilton, Ernest, Fowler, Johnston, Lindley, Marshall, McCullough, McIntosh, Null, Rahm, Richardson, Schloss, Shively, Thompson and Youche. Total, 21.

So the amendment was adopted.

Senator Willard offered the following amendment:

Amend by inserting:

Item —. For the payment of the Sheriff of the Supreme Court for the year beginning November 1, 1883, and ending October 31, 1884, the sum of five hundred dollars.

Adopted.

Senator Willard moved to concur in the committee report in reference to salary for a Messenger for the Supreme Court, placing the same at \$600 per year.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Bryant, Davis, Drake, Duncan of Brown, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Weir, Willard, Winter, Youche and Zimmerman. Total, 33.

Those voting in the negative were :

Senators Benz, Brown, Day, Duncan of Hamilton, Ernest, Fowler, McIntosh, Null, Richardson and Thompson. Total, 10.

The amendment was adopted.

Senator Brown moved that the report of the Committee of the Whole, striking out of line 3, page, 18, of the printed bill, the words "twenty-five," and inserting in lieu thereof the words "twenty-seven;" also in line 7, page 18, striking out the words "four thousand" and inserting in lieu thereof "two thousand," be adopted.

Carried.

Senator Hilligass offered the following amendment to House Bill No. 479:

Amend item 11, page 21, by inserting after the word treasury as follows: "*Provided*, All moneys expended or paid out under the provisions of this act, or under the appropriation bill heretofore passed for the support or maintenance of any of the penal reformatory institutions of the State, shall be made only upon the original bills, receipts and vouchers returned to the Auditor of State at each monthly or quarterly settlement."

Adopted.

Senator Duncan, of Brown, moved the adoption of the committee report which amended the bill by adding \$20,000 to the appropriation for the University at Bloomington for replacing the library, museum and chemical department.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Tipton, Duncan of Brown, Ernest, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McCullough, Overstreet, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Winter, Youche and Zimmerman. Total, 35.

Those voting in the negative were:

Senators Hill, Howard, Johnston, McClure, McIntosh, Null, Peterson, Smith of Jay and Willard. Total, 9.

So the amendment was adopted.

Senator Johnson offered the following amendment:

MR. PRESIDENT:

I move to amend Engrossed House Bill No. 479, by striking out on page 22 of the printed copy, in lines 1 and 2, the words "eighteen thousand five hundred dollars" and insert the words "twenty-four thousand dollars."

Senator Smith, of Jay, offered the following amendment to the amendment:

MR. PRESIDENT:

I move to amend the report of the committee by striking out the words "twenty-four thousand dollars," recommended by the committee for expenses of Purdue University, and insert in lieu thereof "twenty thousand dollars."

The question being on the substitute of Senator Smith, of Jay.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Ernest, Hill, Johnston, McClure, McIntosh, Null, Overstreet, Richardson, Smith of Jay and Willard. Total, 10.

Those voting in the negative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McCullough, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Weir, Winter, Youche and Zimmerman. Total, 34.

So the amendment to the amendment was lost.

The question being on Senator Johnson's amendment.

The same was adopted.

Senator Willard moved to adopt the committee's report, recommending the striking out of all the bill from the word "provided" in line 8 to line 16, inclusive.

Carried.

Senator Brown offered the following amendment to the report of the Finance Committee:

MR. PRESIDENT:

I move to strike out of item 5, of the committee's report of the Senate, the words "including publication of reports."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Benz, Brown, Day, Duncan of Hamilton, Duncan of Brown, Ernest, Fowler, Hilligass, Johnston, McClure, McIntosh, Richardson, Schloss, and Thompson. Total, 14.

Those voting in the negative were:

Senators Adkinson, Bailey, Bryant, Drake, Foulke, Hoover, Huston, Lindley, Macy, Magee, Marshall, May, Moon, Null, Overstreet, Peterson, Rahm, Sellers, Shively, Smith of Jennings, Weir, Willard, Winter, Youche, and Zimmerman. Total, 25.

So the amendment was lost.

Senator Hilligass moved that the Senate do now adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Duncan of Tipton, Fowler, Magee, May, Null, Richardson, Schloss, Sellers, Willard, and Zimmerman. Total, 10.

Those voting in the negative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Drake, Ernest, Faulkner, Foulke, Hill, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Shively, Smith of Jay, Thompson, Weir, Winter, and Youche. Total, 30.

So the motion was lost.

Senator Youche moved to adopt the committee's report in regard to expenses of the State Board of Health.

Carried.

Senator Sellers, from the Committee on Phraseology, etc., presented the following report:

MR. PRESIDENT :

Your Committee on Phraseology, etc., to which was referred House Bill No. 34, beg leave to recommend that the figures "3333" in line 10, page 2 of said bill, be stricken out, and that the figure "1" be inserted in lieu thereof. It further recommends that the title to said bill be stricken out, and the following inserted in lieu thereof, to wit: "An act to amend section 1 of an act entitled an act to amend the first section of an act entitled an act to amend the twenty-second section of an act entitled an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1852, approved March 2, 1885, approved March 1, 1877, being section 3333 of the Revised Statutes of 1881, and declaring an emergency."

E. B. SELLERS,
Chairman.

Report concurred in.

Senator Benz gave notice that on to-morrow he would move to change the hour for convening the Senate, from 9:30 o'clock A. M. to 9 o'clock A. M.

Senator Smith of Jennings, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 314 with Enrolled Senate Act No. 314, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President announced that he had signed Enrolled Senate Bill No. 314.

On motion of Senator Willard, leave of absence was granted Senator Smith of Jay until Friday morning.

On motion of Senator Magee, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

WEDNESDAY MORNING.

APRIL 8, 1885.

Senate met in special session at 9:30 o'clock, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. B. W. Smith, of the House of Representatives.

The Journal was read in part, and on motion of Senator Johnston, the further reading was dispensed with.

Senator Magee asked leave of absence for Senator Foulke on account of illness in his family.

Granted.

Senator Hilligass moved to suspend the regular order of business and take up Engrossed House Bill No. 564.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senator Adkinson, Bailey, Benz, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Fowler, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Lindley, Magee, Marshall, May, Moon, McClure, McIntosh, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, and Youche. Total, 31.

Those voting in the negative were:

Senators Brown, Bryant, Ernest, Faulkner, Macy, Peterson, Rahm, Willard, and Zimmerman. Total, 9.

So the motion carried.

Senator Hilligass moved to suspend the constitutional rule and read Engrossed House Bill No. 564 the first time by sections, the second time by title, and the third time by sections and put upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of Starke, Davis, Day, Duncan of Tipton, Duncan of Brown, Fowler, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Peterson, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard and Youche. Total, 37.

Those voting in the negative were:

Senators Brown, Ernest, Faulkner, Rahm and Zimmerman. Total, 5.

So the constitutional rule was suspended.

Engrossed House Bill No. 564 was read a first time by sections, a second time by title and a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ernest, Faulkner, Fowler, Hilligass, Hoover, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 43.

No one voting in the negative.

So the bill passed.

The title as read was adopted.

The consideration of Engrossed House Bill No. 474 was resumed.

Senator Willard moved that the committee report in regard to payment of specific appropriation for Prison North be paid out of earnings of said prison.

Senator Brown offered the following amendment to the report of the committee of the whole to House Bill No. 479 :

MR. PRESIDENT :

I move to add after the word "prison," item 6 of the report of the Committee of the Whole, the following, "and no such expenditures shall be made in any year, unless the earnings of said prison for such year are adequate to meet the same."

Adopted.

Senator Willard's amendment was then adopted as amended.

Senator Youche moved that the committee report in reference to line 8, page 25, be adopted.

Carried.

Senator Youche moved that the committee report in regard to Horticultural department on page 30, between line 3 and 4, be adopted.

Carried.

Senator Willard moved to adopt the amendment to the bill proposed by Senator Hilligass, on page 20, line 4, by striking out the word "the" and insert in lieu thereof the word "any."

Carried.

Senator Willard offered the following amendment to House Bill No. 479 :

Page 31, line 16, after the word "expenses" in said line: "and also all appropriations for library and all specific appropriations of any nature whatever, shall be considered exceptions."

Adopted.

Senator Campbell of St. Joseph moved to reconsider the action of the Senate on Senator Brown's amendments to Senator Willard's amendment.

Senator Fowler moved to lay Senator Campbell's of St. Joseph motion on the table.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Ernest, Fowler, Hilligass, Howard, McIntosh, Richardson, Willard. Total, 8.

Those voting in the negative were :

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Faulkner, Hoover, Huston, Lindley, Macy, Magee, Marshall, May Moon, McClure, Null, Overstreet, Peterson, Rahm, Shively, Smith of Jennings, Thompson, Weir, Winter, Youche, Zimmerman. Total, 32.

So the motion was lost.

By consent, Senator Brown withdrew his amendment, and Senator Willard's original amendment was adopted.

Senator Youche offered the following amendment to House Bill 479 :

Insert after the word "expenses," line 16, page 31, and after the amendment offered by Senator Willard, the words, "and for additional water supply for the Hospital for the Insane, fifteen thousand dollars, or so much thereof as may be necessary."

Adopted.

Senator McCullough moved that the bill be referred to a special committee to change the phraseology on page 33.

Carried.

Committee appointed—Senators McCullough, Youche, and Willard.

On motion, Senate took a recess for five minutes.

The Senate was called to order by Lieutenant-Governor Manson.

Senator Duncan, of Brown, moved to suspend the constitutional rule, and read House Bill No. 565, first, second, and third time, and put it upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were :

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Winter, Zimmerman. Total, 39.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 565 was read a first time by sections, a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 44.

No Senator voting in the negative.

So the bill passed.

The title was read.

Senator Duncan, of Brown, offered the following amendment to the title of House Bill No. 565 :

MR. PRESIDENT :

I move to amend House Engrossed Bill No. 565, by inserting at the beginning of section one the following, to wit :

" Be it enacted by the General Assembly of the State of Indiana, "

That amendment adopted, and title as amended was adopted.

Senator Youche, from the committee appointed to amend the phraseology of House Bill No. 479, made the following report :

The special committee to whom was referred Engrossed House Bill No. 479, made the following report:

MR. PRESIDENT:

Strike out the word "shall," page 32, line 1, and all following it to the word "or," line 6, page 33, and in line 8, page 33, after the word "out," insert the following: "of any moneys in the State Treasury not otherwise appropriated."

WILLARD,

YUCHE,

McCULLOUGH,

Report concurred in.

Committee.

Senator Willard moved that the amendments to Engrossed House Bill No. 479 be considered engrossed, the constitutional rule be suspended, the bill read a third time and put upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, Yucche and Zimmerman. Total 44.

Those voting in the negative were:

Senators Fowler and McIntosh. Total, 2.

So the constitutional rule was suspended.

Engrossed House Bill No. 479, was read a third time.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has passed House Bills Nos. 134, 206, 339 and 365, and Senate Bill No. 327; also, House Concurrent Resolution No. 10, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,

Principal Clerk.

On motion of Senator Magee, the Senate adjourned.

AFTERNOON SESSION.

APRIL 8, 1885.

Senate met at 2 o'clock P. M., with Lieutenant Governor Manson in the chair.

The question being, Shall Engrossed House Bill No. 479 pass?

- The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Day, Duncan of Hamilton, Duncan of Brown, Ensley, Faulkner, Foulke, Hilligass, Hoover, Johnson, Johnston, Lindley, Macy, Magee, May, Moon, McClure, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Weir, Winter, Youche and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Davis, Drake, Fowler, Huston, Marshall, McCullough, McIntosh, Richardson, Thompson and Willard. Total, 12.

So the bill passed.

The title was read and referred to the Committee on Phraseology.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 177, with amendments.

Also, House Bills Nos. 4, 484, 338, 506, 305 and 392, and the same are herewith transmitted to the Senate for its action.

H. C. DARNELL,
Principal Clerk.

Engrossed House Bill No. 387 was, on motion of Senator Weir, taken up and read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Day, Faulkner, Hilligass, Hoover, Howard, Johnson, Johnston, Lindley, Marshall, McClure, Null, Peterson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, and Zimmerman. Total, 26.

Those voting in the negative were:

Senators Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Hill, Huston, Macy, Magee, May, Moon, McCullough, McIntosh, Overstreet, Rahm, Richardson, Winter, and Youche. Total, 21.

So the bill passed.

The title was read and referred to the Committee on Phraseology.

Senator Fowler arose to a question of privilege, and asked that his name be recorded in the roll call as voting in the negative on Engrossed House Bill No. 479, the general appropriation bill.

On motion of Senator Willard, permission was granted, and Senator Fowler's name was so recorded.

Senator Sellers, from the Committee on Phraseology, etc., to which was referred Engrossed House Bill No. 479, begs leave to recommend that the title to said bill be amended so as to read as follows:

An act making appropriations for the State government and its institutions, making certain specific appropriations, directing the application of such appropriations, requiring accounts to be kept by the fiscal years of the State, repealing inconsistent laws, and declaring an emergency.

Title adopted as recommended by the committee.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Bill No. 487, being the specific appro-

priation bill; also, House Bill No. 488, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

Senator Willard moved to take up House Bill No. 543.

Senator Huston moved to lay the motion the table.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Ensley, Faulkner, Foulke, Hill, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, McIntosh, Peterson, Rahm, Richardson, Smith of Delaware, Weir, Winter and Youche. Total, 27.

Those voting in the negative were:

Senators Bailey, Benz, Bryant, Duncan of Brown, Fowler, Hilligass, Johnson, Magee, May, McClure, McCullough, Null, Overstreet, Schloss, Sellers, Shively, Smith of Jennings, Thompson, Willard and Zimmerman. Total, 21.

So the motion carried.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 327 with Enrolled Senate Act No. 327, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Benz was granted leave of absence until to-morrow.

The Chair announced that he had signed Enrolled House Act No. 564, and Enrolled Senate Act No. 327.

On motion of Senator Huston, Engrossed House Bill No. 71 was taken up.

Senator Huston moved that the Senate amendments to Engrossed House Bill No. 71 be considered engrossed.

Senator Magee offered the following amendment to Engrossed House Bill No. 71:

MR. PRESIDENT:

I move to amend House Bill No. 71 by striking out the word "six," in line 4, and inserting the word "eighteen," and by striking out the word "six," in line 5, and inserting the word "eighteen."

Senator Campbell, of St. Joseph, offered the following amendment to Senator Magee's amendment:

MR. PRESIDENT:

I move to amend the amendment of Senator Magee by striking out the word "eighteen" where it occurs, and inserting therefor the word "twelve."

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Huston, Macy, Moon, McClure, McCullough, Peterson, Rahm, Richardson, Shively and Winter. Total, 24.

Those voting in the negative were:

Senators Day, Faulkner, Hill, Hilligass, Hoover, Howard, Johnson, Johnston, Lindley, Magee, May, McIntosh, Null, Overstreet, Schloss, Sellers, Smith of Jeunings, Thompson, Weir, Willard, Youche and Zimmerman. Total, 22.

So the amendment was adopted.

Senator Magee's amendment as amended was adopted.

Senator Youche offered the following amendment to Engrossed House Bill No. 71: Add the following as an additional section:

Sec. 4. Nothing in this act contained shall in any manner affect or change the liability of railroad corporations, or of the

assignees, lessees or receivers of such corporations, for stock killed or injured upon their railroads, but such liability shall exist and be governed by laws now in force the same as if this act had never been passed.

Senator Hilligass moved that the Senate do now adjourn.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Faulkner, Fowler, Hilligass, Hoover, Howard, Johnson, Magee, Null, Overstreet, Schloss, Sellers, Smith of Jennings, and Willard. Total, 13.

Those voting in the negative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Hill, Huston, Johnston, Lindley, Macy, Moon, McClure, McIntosh, Peterson, Rahm, Richardson, Shively, Thompson, Weir, Winter, Youche, and Zimmerman. Total, 31.

So the motion was lost.

Senator Foulke moved that each Senator's remarks on Engrossed House Bill No. 71 be limited to five minutes.

Carried.

Senator Willard moved that the Senate adjourn, to meet at 9:45 o'clock to-morrow morning.

Senator Campbell of St. Joseph moved to amend so that when the Senate adjourn it be until 7:30 o'clock to-night.

Which motion was lost.

Senator Willard then withdrew his motion.

The question being on Senator Youche's amendment.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Tip-

ton, Duncan of Brown, Ensley, Ernest, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Shively, Weir, Willard, Winter, Youche, and Zimmerman. Total, 34.

Those voting in the negative were :

Senators Day, Faulkner, Foulke, Johnston, Magee, Overstreet, Schloss, Sellers, Smith of Jennings, and Thompson. Total, 10.

So the amendment was adopted.

Senator Willard moved that the Senate adjourn.

Which motion was lost.

Senator Weir offered the following amendment :

Amend by adding the following to section 3 of the bill :

Provided, That if any railroad company shall so construct its fence, that it becomes necessary to go upon its land to join fences, the adjoining proprietor shall have the right to run his cross fences up to and join his fence upon the right of way of such company.

Withdrawn.

Senator Hilligass moved that the Senate adjourn.

Lost.

Senator Willard offered the following amendment to Engrossed House Bill No. 71 :

MR. PRESIDENT:

I move to amend House Bill No. 71, page 8, lines 1 and 2, by striking out the words "together with reasonable attorneys' fees." And on page 12, lines 4 and 5, strike the words "together with reasonable attorneys' fees."

Senator Magee moved that the bill with amendments be re-committed to a special committee, with instructions to amend and report to-morrow at 10 o'clock A. M.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has passed the following bills: House Bills Nos. 210, 212, 538 and 567, and Senate Bill No. 366, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Principal Clerk.

On motion of Senator Johnson, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

THURSDAY MORNING.

APRIL 9, 1885.

Senate met in special session at 9:30 o'clock, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Smith, of the House of Representatives.

On motion of Senator Duncan of Brown the reading of the journal was dispensed with.

Senator Duncan of Brown asked leave of absence for Senator Faulkner.

Granted.

Senator Sellers, from the committee appointed to investigate late Assistant Secretary H. C. Huffstetter's accounts, made the following report:

MR. PRESIDENT:

Your special committee appointed for the purpose of examining the accounts of the members and employes of the Senate, having discharged that duty, beg leave to present the following report:

We find that H. C. Huffstetter, late Assistant Secretary of the Senate, on January 16, 1885, drew a certificate numbered 81, in favor of Edward C. Knowles, for \$45.00, which was indorsed and paid, the warrant drawn therefor being indorsed "Edward C. Knowles, per Huffstetter;" that said amount was charged to Ezra C. Knowles, one of the engrossing clerks of the Senate; we further find that said sum of money was not paid to said Knowles until after the appointment of this committee; that said certificate was drawn and the money thereon procured, without authority from Knowles so to do.

We find that said Secretary on February 6, 1885, drew an order in favor of Senator Hilligass, for \$60, which was not paid to said Hilligass; that on February 11, 1885, said Secretary drew a warrant in favor of said Hilligass, for \$40.00, which was never delivered to said Hilligass, but was presented by said Secretary and was paid to him. That amount was not charged to Senator Hilligass, and the State was short on that account said sum.

Since the appointment of this committee, some person whose name is unknown to this committee, paid said sum of \$60 to Senator Hilligass, and said overdraft of \$40 was refunded to the State.

We find that on January 27, 1885, a warrant was drawn in favor of Senator H. J. May for \$66; that the warrant drawn therefor was indorsed, "H. J. May, by Huffstetter;" that the same was paid by the Treasurer of State. The money, however, was not paid to Senator May until after the appointment of this committee, when the same was paid into the State treasury by some person in behalf of said Huffstetter.

We find that a certificate numbered 40 was drawn in favor of Senator Shively for \$30, which was never delivered nor paid to him; that the same was presented, and the warrant drawn and paid. This sum was not charged to said Senator. The amount thereof has, since the appointment of your committee, by some one to your committee unknown, been paid into the State treasury. The indorsements on the warrant and certificate are neither in the handwriting of Senator Shively, but appear to have been made by Huffstetter, and, if made by him, were so made without authority from Senator Shively.

On January 23, 1885, a warrant was drawn by said Huffstetter in favor of "L. D. Adkinson" for \$100, but was never de-

livered to said Adkinson, and the amount was charged to no one, the stub having been left blank. The warrant was indorsed with the same name and apparently in the hand-writing of H. C. Huffstetter. The warrant was indorsed in the same manner, and was paid by the Treasurer of State. Your committee finds that this amount was never paid to Senator Adkinson, nor to any other person entitled to receive the same. Said sum has, since the appointment of your committee, been paid into the State treasury by the same unknown person above mentioned.

Your committee further find that the said order in favor of "L. D. Adkinson" was drawn without authority, and that the indorsements thereon were made without legal authority.

Your committee found no other discrepancies in the accounts of Senators and employes.

The sums drawn by Mr. Huffstetter from the treasury upon the warrants and orders as above set forth, have been covered back into the State treasury or repaid to the losers by his dishonest transactions.

While this has been done voluntarily and without any agreement upon the part of the losers by Huffstetter's transactions, still this restitution was but an act of simple justice to men whom Huffstetter had wronged, and it can not in any way justify an outrage committed before the eyes of this Senate, and which has now been brought to the knowledge of the entire State.

We further find that no other officer or employe of the Senate, nor any member of the Senate, had any knowledge at the time of the wrongful acts or conduct of said Huffstetter.

We, therefore, call the attention of the Prosecuting Attorney of the Criminal Court of Marion county, Indiana, to the facts above set forth, that he may take such steps as may further the ends of justice.

SELLERS,

F. WINTER,

J. W. YOCHE.

Senator Youche moved that the report be concurred in and the committee discharged.

Carried.

Senator Magee offered the following resolution :

Resolved, That the Senate, the House concurring, hereby extend to General Grant and his family its sincere sympathy in this hour of suffering and trial, and join with the American people of all shades of opinion and belief in the voice of sympathetic regret that his life is to be lost to his country.

Unanimously adopted.

Senator Ernest asked to be recorded on the journals as voting in the affirmative on Engrossed House Bill No. 479, the general appropriation bill.

Granted.

Senator Smith, of Jennings, from the Judiciary Committee, made a minority report on House Bill No. 44.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions Nos. 14 and 13, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,

Clerk.

Senator Foulke moved to fix the John Martin claim bill, the same being Engrossed House Bill No. 361, a special order for 2 o'clock to-morrow P. M.

Carried.

Senator Foulke was granted leave of absence for an indefinite period.

The unfinished business being the consideration of Engrossed House Bill No. 71, the same was taken up.

The question being on Senator Willard's amendment to House Bill No. 71.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Day, Hill, Hoover, Howard, Johnston, Lindley, Magee, May, Null, Schloss, Shively, Smith of Jennings, Smith of Jay, and Willard. Total, 14.

Those voting in the negative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Fowler, Hilligass, Huston, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Sellers, Smith of Delaware, Thompson, Weir, Winter, Youche, and Zimmerman. Total, 32.

So the amendment was lost.

Senator Winter offered the following amendment to Engrossed House Bill No. 71:

Amend section 1 by inserting in line 2 of the printed bill the word "receiver" after the word "assignee."

Amend section 3 by inserting in line 2 of the printed bill the word "receiver" after the word "assignee;" by inserting the word "receiver" after the word "assignee" in line 11, and by inserting the word "receiver" after the word "assignee" in line 19

Adopted.

Senator Youche offered the following amendment.

MR. PRESIDENT:

I move to amend House Bill No. 71 as follows: Insert after the word "fences" in line 7, section 1 of printed bill, the words "which may be constructed of barbed wire."

Adopted.

Senator Overstreet offered the following amendment:

MR. PRESIDENT:

I moved to amend House Bill No. 71 as follows: Amend section 1 by striking out the words "with gates and bars at the farm crossings of such railroads." Also amend section 2 by striking out the words "with gates and bars at farm crossings."

Senator Youche offered the following substitute for the amendment of Senator Overstreet to House Bill No. 71: Add an additional section to House Bill No. 71 as follows:

Section 5. The gates and bars at farm crossings required in this act shall, in the absence of a contract or agreement to the contrary, be constructed and maintained and kept closed by the owner of such farm crossing.

Lost.

The question being on Senator Overstreet's amendment.

The same was adopted.

Senator Youche offered the following as an additional section to House Bill No. 71 :

Section 5. All gates and bars at farm crossings shall, in the absence of a contract or agreement to the contrary, be constructed and maintained, and kept closed by the owners of such farm crossings.

Adopted.

Senator Sellers offered the following amendment :

MR. PRESIDENT :

I move to amend House Bill No. 71 by striking out of line 2, section 2, the words "barriers or cattle guards," and by striking out of line 5 of said section the words "and track," and by striking out of line 6 of said section the words "barriers and cattle guards," and by striking out the same words from lines 14 and 15 of the same section.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Day, Ernest, Hill, Hilligass, Hoover, Howard, Lindley, Magee, May, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Weir, Willard, Zimmerman. Total, 21.

Those voting in the negative were :

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Fowler, Huston, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Smith of Delaware, Thompson, Winter, Youche. Total, 23.

So the amendment was lost.

Senator Winter offered the following amendment to House Bill No. 71 :

Amend section 2 by inserting in line 4, printed bill, after the word "right," the following: "After giving thirty days notice in writing of his intention so to do, to be served upon the nearest freight-receiver and shipping agent employed by the company, or person controlling and operating said railroad."

Adopted.

Senator Smith, of Jennings, offered the following amendment:

MR. PRESIDENT:

I move to amend as follows: That such corporations shall not be required to build such fences between the first day of December and the first day of May.

Lost.

Senator Rahm offered the following amendment:

MR. PRESIDENT:

I move to amend House Bill No. 71, by adding to section 1, the following:

Provided, however, That the building, erection, or construction of such fences, barriers and cattle guards, may be dispensed with along all lands wherever the owner or owners give their consent, in writing, to the proper railroad companies or corporations operating such roads.

Senator Brown moved the previous question.

Which was seconded.

The question being, Shall the main question be now put.

Carried.

The question being on Senator Rahm's amendment.

The same was lost.

On motion, the amendments to Engrossed House Bill No. 71 were ordered engrossed.

Engrossed House Bill No. 71, with amendments, was read a third time, and put upon its passage.

The question being, Shall the bill pass?

Those voting in the affirmative were :

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Fowler, Hill, Hilligase, Hoover, Howard, Lindley, Macy, Magee, Marshall, Moon, McCullough, McIntosh, Overstreet, Peterson, Richardson, Shively, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 33.

Those voting in the negative were :

Senators Benz, Day, Johnston, May, McClure, Rahm, Schloss, Smith of Jennings, and Willard. Total, 9.

So the bill passed.

The title as read was adopted.

The President announced that he had signed Enrolled House Acts Nos. 34, 504 and 565, and Enrolled Senate Act No. 366.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 366 with Senate Enrolled Act No. 366, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Sellers, from the Committee on Phraseology, offered the following report :

MR. PRESIDENT :

Your Committee on Phraseology, etc., having had under consideration Engrossed House Bill No. 48, begs leave to recommend that the words "section 188" be inserted after the word "follows," in line 7 of section 1 of said bill.

Report concurred in.

Engrossed House Bill No. 48 was read a third time and put upon its passage.

The question being; Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were :

Senators Benz, Bailey, Day, Ernest, Fowler, Hill, Marshall, McIntosh, Null, Rahm, Schloss, Smith of Jennings, Thompson, Weir and Zimmerman. Total, 15.

Those voting in the negative were :

Senators Adkinson, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Hilligass, Huston, Johnson, Johnston, Lindley, Magee, Moon, McClure, McCullough, Overstreet, Peterson, Richardson, Shively, Smith of Delaware, Willard, Winter and Youche. Total, 27.

So the bill failed to pass.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Bill No. 479, and asks for a conference committee. Upon the part of the House, Messrs. McMullen and Brownlee have been appointed.

H. C. DARNELL,
Principal Clerk.

Senator Willard moved to take up the message of the House.
Carried.

On motion the Senate refused to recede from its amendments, and a conference committee was appointed on the part of the Senate.

Committee appointed: Senators Magee and Youche.

Senator Willard moved to take up specific appropriation bill and make it a special order for 2 P. M. to-day.

Senator Winter moved to amend by taking up the bill and reading it the first time and ordering it printed, and made a special order for to-morrow at 9:30 o'clock.

Carried.

Senator Willard's motion as amended was carried.

On motion of Senator Hilligass the Senate adjourned to 2 o'clock.

AFTERNOON SESSION.

APRIL 9, 1885.

Senate met at 2 o'clock P. M., with Lieutenant Governor Manson in the chair.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, April 9, 1885.

To the Honorable, the President of the Senate:

By the direction of the Governor I have the honor to inform the Senate that he has received, approved and signed Senate Enrolled Acts Nos. 12, 5, 15, 49, 108, 264, 323, 299, 324, 349, 368, 314 and 327, and has caused the same to be filed in the office of the Secretary of State. He has also received a copy of Senate Concurrent Resolution No. 33, and has complied with the requirements contained therein.

PIERRE GRAY,
Private Secretary.

Senator Magee moved to reconsider the vote by which Senate resolution in regard to printing 500 copies of the drainage law was passed.

Carried, and the same was reconsidered and indefinitely postponed.

Senator Hilligass called up House Concurrent Resolution No. 12.

House Concurrent Resolution No. 12, in reference to printing the ditch law and gravel road bill in pamphlet form, was read and adopted.

Senator Brown from the Committee on Inspection of the Journal, submits the following report:

MR. PRESIDENT:

Your committee on the Inspection and Revision of the Journals of the Senate, beg leave to report that they have examined said journals up to and including Wednesday, April 8, 1885, and find the same correct.

Concurred in.

Senators Magee and Youche, asked leave of absence to attend meeting of the conference committee, on the appropriation bill.

Granted.

Senator Campbell, of Hendricks, made a report from Committee on Engrossed House Bill No. 184, which was read together with the following amendments:

That the title of said bill be amended by striking out all of said title on page 1, line 6 to line 11 inclusive, and inserting in lieu thereof the following as the title of said bill, to wit:

An act to amend section 6 of an act entitled, "An act authorizing Boards of County Commissioners to construct gravel, macadamized or paved roads upon petition of a majority of resident land owners along and adjacent to the line of any road, authorizing them to issue Bonds of the county to raise money required for that purpose, and provide for the payment of such bonds by taxing lands adjacent to the roads, repealing all laws inconsistent herewith, and declaring an emergency;" approved March 3, 1877, being section 5096 of Revised Statutes of 1881.

That section 1, of said act be amended by striking out all after the word "six," in line 4, and before the word "be" in line 9, on page 2, and inserting in lieu thereof the following words: "of the above entitled act;" also, by inserting before the figure "six" in line 13, page 2, the word "section" in lieu of the figures "5096" which should be stricken out.

A minority of your committee recommend that said bill when so amended do pass.

C. JOHNSTON,
MARVIN CAMPBELL.

Adopted.

Senator Ernest made the following report on Swamp Lands:

MR. PRESIDENT:

Your Committee on Dykes and Drains, to whom was referred Engrossed House Bill No. 41, report that we have had the same under consideration, and recommend that said bill do pass.

The report was concurred in.

Senator Bailey moved to take up Senate Bill No. 177, and concur in the amendments of the House, reducing the amount to \$2,500.

Carried.

Senator Hilligass called up Engrossed House Bill No. 487.

Engrossed House Bill No. 487 was read a first time and ordered printed.

Engrossed House Bill No. 543 was read a second time, together with the following report from the Committee on County and Township Business:

MR. PRESIDENT:

Your Committee on County and Township Business, report that they have had under consideration Engrossed House Bill No. 543, introduced by Representative French, and recommend that said bill do pass.

McINTOSH,
Chairman.

Report concurred in.

Senator Macy offered the following amendment to Engrossed House Bill 543:

MR. PRESIDENT:

I move to amend House Bill No. 543, by inserting in section 1, line 7, of page 8, after the word collector, the following words: And then only on such sums as are paid as aforesaid by such delinquents, after demand has been actually made upon such delinquents by such collector, subsequent to the last settlement with the County Auditor.

Amendments adopted and ordered engrossed.

Senator Macy moved that the bill be referred to a special committee of three, with instructions to report to-morrow morning at 10 o'clock.

Carried.

Committee appointed were Senators Macy, McIntosh and Schloss.

Senator Bryant moved to take up Engrossed House Bill No. 210, and suspend the constitutional rule, read the bill first time by sections, a second time by title, a third time by sections, and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Ensley, Ernest, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Sellers, Smith of Delaware, Thompson, Weir, Willard, Winter, and Zimmerman. Total, 37.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 210 was read a first time by sections, a second time by title, a third time by sections and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Hill, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Delaware, Weir, Winter, Youche, and Zimmerman. Total, 39.

No Senator voting in the negative.

So the bill passed.

The title as read was adopted.

Senator Johnston called up Engrossed House Bill No. 401.

Engrossed House Bill No. 401 was read a second time, together with the following report of the committee:

MR. PRESIDENT:

Your special committee to whom was referred Engrossed

House Bill No. 401 have had the same under consideration, and recommend that the following be added to said bill as section 9, and that section 9 of said bill be numbered section 10:

Sec. 9. That in all contracts heretofore made, or which may hereafter be made by order of the Common Council of any city in this State, for the grading or improvement of any street or alley, and when the work has been completed under such contract, and the contractor has not been paid for said work, in whole or in part, the cost thereof shall be estimated according to the whole length of such street or alley or the part thereof improved, per running foot, and the city shall have a lien on the lots bordering on such street or alley or the part thereof improved, for the full amount of the work done on such street or alley by the contractor; and when any such street or alley has been heretofore or may be hereafter graded or improved under the provisions of any such contract so made by the order of the Common Council, through the unplatted lands lying within said city, the cost thereof shall be estimated according to the whole length of the street or alley, or the part thereof improved, per running foot; and in making the assessments against the owner or owners of such unplatted lands for such improvement, the ground shall be assessed across the ground fronting or immediately abutting on such improvement, back from the front line thereof, and the city shall hold a lien thereon for the amount of such improvement, and the Common Council shall cause an accurate estimate of said work to be made out by the City Engineer, as provided for in this act, and the city shall become liable for the amount due the contractor, which amount shall be paid to the contractor by said city, and the cost of such improvement shall be placed upon the city tax duplicate and charged against the owner of such property, as provided for in this act.

And when so amended that said bill do pass.

SMITH,
Chairman.

Report not concurred in.

Senator Adkinson moved to take up Engrossed House Bill No. 358.

Carried.

Engrossed Senate Bill No. 358 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Ensley, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, Rahm, Shively and Zimmerman. Total, 17.

Those voting in the negative were :

Senators Bailey, Benz, Brown, Bryant, Drake, Duncan of Brown, Ernest, Hill, Hilligass, Hoover, Johnston, McCullough, McIntosh, Null, Overstreet, Richardson, Schloss, Sellers, Smith of Delaware, Thompson, Weir and Winter. Total, 23.

So the bill failed to pass.

Senator Smith, from the Committee on Enrolled Bills, submitted the following report :

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 177 with Enrolled Senate Act No. 177, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Hill, from the Committee on Agriculture, made a report on Engrossed House Bill No. 104, recommending amendments, and when so amended, that the bill do pass.

On motion of Senator Johnson, Engrossed House Bill No. 86 was taken up and read a first time.

Senator Winter moved that Engrossed House Bill No. 86 be referred to a committee of three, with instructions to report tomorrow morning at 10 o'clock.

Committee appointed were Senators Johnson, Winter and Hoover.

Senator Winter moved that the constitutional rule be suspended, and that Senate Bill No. 208 be read a second time by title, a third time by sections, and put upon its passage.

The ayes and noes being called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Hoover, Huston, Lindley, Macy, Marshall, Moon, McClure, McCullough, Null, Overstreet, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter and Zimmerman. Total, 35.

No Senator voting in the negative.

So the constitutional rule was suspended.

Senator Winter offered the following amendment to Senate Bill No. 208 :

MR. PRESIDENT:

I move to amend Senate Bill No. 208 by striking out all after the enacting clause and inserting the following :

That the county of Marion shall constitute the Nineteenth Judicial Circuit, and the counties of Hendricks and Montgomery the Twenty-second Judicial Circuit.

SEC. 2. A term of the Circuit Court shall be held in said Nineteenth Judicial Circuit during each month of the year, except the months of July and August, beginning on the first Monday of each month and continuing until the first Monday of the ensuing month, if the business thereof shall so long require.

SEC. 3. Four terms of the Circuit Court shall be held in each of the counties composing the Twenty-second Judicial Circuit as follows : In the county of Hendricks, beginning on the first Monday of January, and continuing, if necessary, to the first Monday of February ; beginning on the first Monday of April, and continuing, if necessary, to the first Monday of May ; beginning on the second Monday of June, and continuing, if necessary, to the first Monday of July, and beginning on the third Monday of October, and continuing, if necessary,

to the third Monday of November. In the county of Montgomery, beginning on the first Monday of February, and continuing, if necessary, to the first Monday of April; beginning on the first Monday of May, and continuing, if necessary, to the second Monday of June; beginning on the first Monday of September, and continuing if necessary, to the third Monday of October, and beginning on the third Monday of November, and continuing, if necessary, to the first Monday of January.

SEC. 4. All writs, summons, subpoenas, recognizances, publications, rules, bonds, orders or process of any nature whatever issued out of any Circuit Court in said counties of Marion, Hendricks and Montgomery, and made returnable to any term of the Circuit Court therein as heretofore fixed by law, shall be deemed and held to be returnable to the first term of the Circuit Court held in the county from which the same issued under the provisions of this act: *Provided, however,* That if any of the judicial circuits affected by this act shall be so changed that the Judge of any circuit as constituted by this act, shall not be the Judge of a circuit composed of the same counties as before the taking effect of this act, and in all other cases where any Judge of any circuit affected by this act shall have any question or cause under advisement, such Judge shall determine such question, or decide such cause so held under advisement the same as if this act had not been passed.

SEC. 5. The Prosecuting Attorney of the Nineteenth Judicial Circuit shall continue to exercise all the functions of the said office within the counties of which said circuit consisted before the passage of this act, until his term of office expires, the same as if this act had not been passed.

SEC. 6. All laws and parts of laws in conflict, are hereby repealed.

SEC. 7. There being an emergency for the immediate taking effect of this act, it shall be in force from and after its passage.

Senator Peterson moved to refer the bill with amendments to the Committee on Judiciary.

Carried.

On motion of Campbell of St. Joseph, Engrossed House Bill No. 435 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Drake, Ensley, Johnson, Lindley, Null, Rahm, Thompson, Weir, Winter and Youche. Total, 19.

Those voting in the negative were:

Senators Benz, Brown, Bryant, Davis, Day, Duncan of Hamilton, Duncan of Brown, Ernest, Fowler, Hill, Hilligass, Hoover, McClure, McIntosh, Null, Peterson, Richardson, Shively, Smith of Jennings, Smith of Delaware, and Zimmerman. Total, 21.

So the bill failed to pass.

Senator Hilligass called up Engrossed House Bill No. 44, which was read a second time, together with the following majority and minority reports:

MR. PRESIDENT:

Your Committee on the Judiciary has had under consideration House Bill No. 44, a bill proposing to regulate the rental allowed for the use of telephones, and the committee directs me to report the same back to the Senate with the recommendation that it be laid on the table.

McCULLOUGH,
Chairman.

MR. PRESIDENT:

The undersigned members of the Judiciary Committee, to whom was referred House Bill No. 44, have had the same under consideration, and report the same back with the recommendation that the same do pass.

SMITH, of Jennings.
INMAN H. FOWLER.

Senator Winter moved to postpone the further consideration of the bill until to-morrow morning at 11 o'clock.

Carried.

Senator Lindley moved to take up House Bill No. 550.

Carried.

Engrossed House Bill No. 550 was read a first time.

Senator Lindley moved that the constitutional rule be suspended and Engrossed House Bill No. 550 be read a second time by title, a third time by sections, and put upon its passage.

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Hill, Hilligass, Hoover, Howard, Johnson, Johnston, Lindley, Macy, Marshall, May, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 40.

No Senator voting in the negative.

So the constitutional rule was suspended.

Engrossed House Bill No. 550 was read a second time by title, a third time by sections, and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 41.

No Senator voted in the negative.

So the bill passed.

Title as read was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 18, 20, 113, and House Bill No. 218, and Senate Concurrent Resolution No. 36, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

On motion of Senator Huston, Engrossed House Bill No. 75 was taken up.

Senator Huston moved that the constitutional rule be suspended and Engrossed House Bill No. 75 be read a second time by title, report of the committee concurred in, and read a third time by sections and put upon its passage.

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Fowler, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, McClure, McIntosh, Overstreet, Peterson, Rahm, Richardson, Sellers, Shively, Smith of Delaware, Thompson, Weir, Winter, Youche and Zimmerman. Total, 37.

Those voting in the negative were :

Senators Hill and Hilligass. Total, 2.

So the constitutional rule was suspended.

Engrossed House Bill No. 75 was read a second time, together with the following report of the committee :

MR. PRESIDENT :

Your Committee on Roads, to whom was referred Engrossed House Bill No. 75, for an act to allow County Commissioners to organize turnpike companies, etc., have had the same under consideration, and the committee unanimously direct me to report said bill to the Senate with the recommendation that it do pass.

C. JOHNSTON,
Chairman.

Report concurred in.

Engrossed House Bill No. 75 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called.

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Lindley, Macy, Magee, Marshall, May, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jay, Thompson, Weir, Winter, Youche, and Zimmerman. Total, 39.

Senator Hill voted in the negative.

So the bill passed.

The title as read was adopted.

Senator Sellers moved that Engrossed House Bill No. 401 be referred to a special committee of three, to report to-morrow at 9:30 o'clock A. M.

Carried.

The committee appointed were Senators Sellers, Brown, and Day.

On motion of Senator Brown, Engrossed House Bill No. 200 was read the third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Benz, Brown, Bryant, Day, Duncan of Brown, Fowler, Hoover, Macy, Marshall, May, McIntosh, Null, Overstreet, Rahm, Richardson, Smith of Jennings, Smith of Delaware, Thompson, Weir, Zimmerman. Total, 21.

Those voting in the negative were:

Senators Bailey, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Hilligass, Huston, Lindley, Magee, Moon, McClure, Schloss, Sellers, Winter, Youche. Total, 19.

So the bill failed to pass.

Senator McIntosh moved to take up Engrossed House Bill No. 339.

Carried.

Senator McIntosh moved to suspend the constitutional rule and read Engrossed House Bill No. 339, a first time by sections, a second time by title, a third time by sections, and put upon its passage.

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Davis, Day, Ensley, Ernest, Foulke, Fowler, Hilligass, Huston, Macy, Magee, Marshall, McClure, McIntosh, Overstreet, Rahm, Schloss, Smith of Delaware, Thompson, Winter, Zimmerman. Total, 25.

Those voting in the negative were:

Senators Adkinson, Campbell of St. Joseph, Drake, Duncan of Hamilton, Hill, Hoover, Johnson, May, Null, Richardson, Weir. Total, 11.

So the constitutional rule was not suspended.

By consent, Engrossed House Bill No. 339 was read a first time.

Senator Campbell, of Hendricks, called up Senate Bill No. 378, and moved that the constitutional rule be suspended, and bill read a second time, and report of committee concurred in, and bill considered engrossed, and read a third time, and put upon its passage.

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Rahm, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Zimmerman. Total, 36.

Those voting in the negative were :

Senators Brown, Bryant, Duncan of Brown, Ernest, Richardson, Sellers. Total, 6.

So the constitutional rule was suspended.

Senate Bill No. 378 was read a second time, together with the following report of the committee, and considered engrossed.

MR. PRESIDENT :

Your Committee on the Judiciary has had under consideration Senate Bill No. 378, entitled :

- A bill to regulate the adjudication of claims against the State of Indiana.

And the committee directs me to report the same back to the Senate with the recommendation that it be amended by striking out the words "Appellate Court of Indiana," wherever they occur, and inserting in lieu thereof the words "Superior Court of Marion county, Indiana;" and also by striking out the words "Circuit Courts," in line 2, page 2, and in line 3, page 4, and insert in lieu thereof the words, "said Superior Court," and a majority of the committee further recommends that said bill, so amended, do pass.

McCULLOUGH,
Chairman.

L. M. CAMPBELL,
INMAN H. FOWLER,
W. D. FOULKE,
M. H. WEIR,
A. G. SMITH.

Report read and concurred in.

Engrossed Senate Bill No. 378 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Foulke, Fowler, Hill, Hilligass, Hoover, Huston, Lindley,

Macy, Magee, Marshall, Moon, McClure, McIntosh, Overstreet, Rahm, Schloss, Smith of Delaware, Thompson, Weir and Winter. Total, 29.

Those voting in the negative were:

Senators Brown, Bryant, Day, Duncan of Brown, Ernest, May, Null, Peterson, Richardson, Sellers, Shively, Smith of Jennings, Willard and Zimmerman. Total, 14.

So the bill passed.

The title was read and referred to the Committee on Phraseology.

On motion of Senator Magee the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

FRIDAY MORNING.

APRIL 10, 1885.

Senate met in special session at 9:30 o'clock, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. McBroome, of the House of Representatives.

On motion of Senator Zimmerman, the reading of the journal was dispensed with.

Senator Willard presented the following communication:

MR. PRESIDENT:

I hereby tender my resignation as chairman of the Committee on Finance.

J. H. WILLARD.

On motion the resignation was accepted.

Senator Zimmerman, from special committee on Engrossed House Bill No. 481, made the following report:

MR. PRESIDENT:

Your special committee of three, to whom was referred Engrossed House Bill No. 481, have had the same under consideration, and a majority of your committee would respectfully recommend that the said bill be amended as hereafter specified, and when so amended that the same do pass. Add to section 1 of said bill the following:

"When the land received as security for any such loan is situated in any county of the State other than the one in which the loan is made, and there is default in the payment of interest or principal, the Auditor of the county making the loan shall at once transmit to the Auditor of the county where the land is situated, a certified copy of the note and mortgage given for the loan, with a statement of such default in payment, and the Auditor of such latter county shall upon such certified copy at once proceed to enforce the collection of such loan either by suit or sale of the land, as is now provided by law, and after receiving such certified copy by said Auditor, all steps taken and all proceedings had, with reference to said loan or the land which was mortgaged, shall be the same as if the loan had originally been made out of funds belonging to said county; and all money collected or realized upon such loan shall at once, as soon as so collected or realized, be paid over to the Auditor of the county having made the loans."

Strike out the word "five" in line 7, of section 2, and insert in lieu thereof the word "two."

Add to section 3 the following: It is hereby made the duty of the Board of Commissioners of each county of this State at their first regular session after the taking effect of this act, to appoint in each commissioner's district of the county three reputable freeholders, any two of whom, without the concurrence of the third, may act as school fund appraisers, whose duty it shall be upon oath, to make all the appraisements of lands in their respective district required in this act or in the act of which this is amendatory; said appraisers or any of them may be removed and new ones appointed by said Board at any regular or special session, and in case any of such appraisers is at any time disqualified, by reason of kinship or interest from

acting, the appraisement shall be made by the other appraisers, who, in case of a disagreement shall select a third appraiser. Said appraisers shall receive the same compensation for making each appraisement and be paid in the same manner as such appraisers are now paid.

Add the following as an additional section to the bill:

Section 4. It shall be the duty of the Auditor of each county, in case default shall be or has been made in the payment of principal or interest of any school fund loan, to at once proceed to enforce the collection of such principal or interest as the case may be, and any Auditor who shall fail or refuse to comply with the requirements of this section, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding one thousand dollars.

M. H. WEIR,
V. ZIMMERMAN.

The report was concurred in.

Engrossed House Bill No. 481 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Day, Ernest, Faulkner, Foulke, Fowler, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Magee, Marshall, May, McCullough, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Thompson, Weir, Willard, and Zimmerman. Total, 28.

Those voting in the negative were:

Senators Adkinson, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Hill, McClure, McIntosh, Null, Smith of Delaware, and Winter. Total, 12.

So the bill passed.

The title as read was adopted.

On motion of Senator Shively, Engrossed House Bill No. 137 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Brown, Bryant, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hilligass, Hoover, Howard, Huston, Johnson, Johnston, Macy, Marshall, May, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter, and Zimmerman. Total, 38.

Those voting in the negative were :

Senators Benz, Davis, and Foulke. Total, 3.

So the bill passed.

The title as read was adopted.

Senator Sellers, from the special committee on Engrossed House Bill No. 401 made report.

Senator Smith of Jennings presented the following report from the Committee on Enrolled Bills :

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 113 and 18 with Enrolled Senate Acts Nos. 113 and 18, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President announced that he had signed Enrolled House Acts Nos. 387, 75, 210 and 550, and Enrolled Senate Acts Nos. 113 and 18.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bills Nos. 75, 302, 119, 67, 129, with amendments, and House Bill No. 569, and the same are herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Willard moved to take up Engrossed House Bill No. 487, the same being the Specific Appropriation Bill, and the Senate go into a Committee of the Whole and consider the same.

Senator Faulkner moved to amend by indefinitely postponing the consideration of the bill.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Brown, Faulkner, May, Peterson, Rahm, Zimmerman. Total, 6.

Those voting in the negative were :

Senators Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan, of Tipton, Ensley, Ernest, Foulke, Hill, Hilligass, Hoover, Johnson, Johnston, Macy, Marshall, Moon, McClure, McCullough, Null, Overstreet, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, and Winter. Total, 34.

So the motion was lost.

Senator Willard's motion was then carried, and the Senate went into a Committee of the Whole.

The committee arose temporarily.

Senator May asked leave of absence for Senator McIntosh.

Granted.

Senator Magee, from the conference committee on Engrossed House Bill No. 479, made the following report :

MR. PRESIDENT :

The undersigned conference committee, appointed by the House and Senate upon House Bill No. 479, being the general appropriation bill, have had the matters of disagreement between the two Houses concerning said bill under advisement, and your committee would respectfully report and recommend as follows :

That the House of Representatives accede to Senate amendments, Nos. 1, 2, 4, 7, 8, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, 23, 24, and 25.

That the Senate recedes from its amendments Nos. 3, 5, 5½, 6, 9, 14, 16, 22, and 23½.

And said committee further recommend that, after the word "dollars," in line 3, page 16, of printed bill, there be inserted the following: "For additional water supply for the hospital for the insane, at Indianapolis, for fire protection, ten thousand dollars, or so much thereof as is necessary." Also, after the word "dollars," in line 18, page 21, of the printed bill, insert the following: "For repair of buildings, museum, library, chemical, and botanical departments of the State University at Bloomington, destroyed by fire, the additional sum of thirteen thousand dollars."

Also, after the word "expenses," in line 16, page 31, of printed bill, insert the following: "All appropriations for library and all specific appropriations of any nature whatever, shall be considered exceptions, and ten thousand dollars for additional water supply for Insane Hospital."

Also after the word "dollars" in line 19, on page 32, of printed bill, add the following: "For repair of buildings, museum, library, chemical and botanical departments of the State University, at Bloomington, destroyed by fire, the additional sum of thirteen thousand dollars; twelve thousand five hundred dollars for the completion of buildings and work shops, and for purchase of machinery for Purdue University."

On part of Senate,

RUFUS MAGEE,
J. W. YOCHE.

On the part of the House,

H. D. McMULLEN,
HIRAM BROWNLEE.

The report was concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 145; also, House Bill No. 268; that the House has concurred in Senate amendments to

House Bill 71; also, that the House has concurred in the report of the conference committee on House Bill No. 479, and the said bills are herewith transmitted to the Senate for its action.

H. C. DARNELL,
Principal Clerk.

Senator Smith, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 302 and 67 with Enrolled Senate Acts Nos. 302 and 67, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The following message was received from the House:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 295 with amendments; also, Engrossed Senate Bill No. 377; also, concurred in Senate amendments to House Bill No. 71 and Engrossed House Bill No. 481, and the same is hereby transmitted for your action thereon.

H. C. DARNELL,
Clerk.

The Senate again went into Committee of the Whole.

The chairman of the Committee of the Whole reported progress and asked leave to meet again to-morrow morning at 10 o'clock.

Granted.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 75 with Enrolled Senate Act No. 75, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

Senator Youche moved that the Senate refuse to concur in the amendments of the House to Senate Bill No. 295, and moved that a conference committee be appointed.

Carried.

Committee appointed, Senators Smith of Jennings, and Youche.

Senator Magee moved that the Senate adjourn.

Lost.

Engrossed House Bill No. 44 was taken up, and the question being on concurring in the minority report, which recommended the passage of the bill.

Senator Magee moved that the Senate do now adjourn.

Lost.

Senator Hilligass demanded the previous question, which was seconded.

The question being, Shall the main question be now put?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Davis, Duncan of Brown, Ernest, Faulkner, Fowler, Hilligass, Hoover, Howard, Johnston, Moon, McClure, McIntosh, Null, Schloss, Sellers, and Shively. Total, 20.

Those voting in the negative were:

Senators Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Hamilton, Ensley, Foulke, Hill, Huston, Macy, Magee, Marshall, May, McCullough, Overstreet, Peterson, Rahm, Richardson, Thompson, Weir, Willard, Youche, and Zimmerman. Total, 22.

So the previous question was not seconded.

On motion of Senator Magee, the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

SATURDAY MORNING.

APRIL 11, 1885.

Senate met in special session at 9:30 o'clock A. M., with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Frazee, of the House of Representatives.

On motion of Senator Sellers, the further reading of the journal was dispensed with.

Senator Campbell of Hendricks offered the following resolution :

MR. PRESIDENT :

I move the adoption of the following :

Resolved, That the thanks of this Senate are due and are hereby tendered to Franklin P. Vanhook, for the uniform kindness, courtesy and promptness with which he has discharged his duties as superintendent of the cloak-room.

L. M. CAMPBELL of Hendricks.

Adopted.

Senator Sellers offered the following resolution :

WHEREAS, The law provides that the Principal Secretary and Assistant Secretary shall index the calendars and journals of the Senate, and that the Senate shall make a just compensation for the same ; therefore, be it

Resolved, That John D. Carter, Assistant Secretary of the Senate, be allowed the sum of three hundred dollars for his services in the performance of said duties as to the journals of the regular session, and that he be allowed the further sum of one hundred and fifty dollars for his services in the performance of said duties in indexing the journals of the special session of this General Assembly, and that the President of the Senate be instructed to draw his warrants for the above named amounts : *Provided*, That said money shall only be paid when the work is completed, and such fact shall be made to appear by the certificate of the Secretary of State.

Senator Schloss offered the following amendment:

MR. PRESIDENT:

I move to amend, that the Principal Secretary of the Senate be allowed the same.

Senator McIntosh moved to refer the resolution and amendment to the Committee on Claims.

Carried.

The following message was received from the House:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Senate Bills Nos. 148, 159, 164, and the same are hereby transmitted to the Senate.

H. C. DARNELL,
Clerk.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 75, with Enrolled Senate Act No. 75, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President announced that he had signed Enrolled Senate Act No. 75, and Enrolled House Acts Nos. 137 and 485.

Senator Day was granted leave of absence until Monday morning.

Engrossed House Bill No. 44, the unfinished business from yesterday, was taken up.

The question being on concurring in the minority report of the Committee on House Bill No. 44, recommending the passage of said bill.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Drake, Davis, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hilligass, Hoover, Howard, Johnson, Johnston, Macy, Marshall, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Willard, Youche and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Foulke, Hill, Huston, Lindley, Magee, May, McCullough, Richardson, Smith of Delaware, Weir and Winter. Total, 14.

So the minority report was concurred in.

Engrossed House Bill No. 44, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Fowler, Hilligass, Hoover, Howard, Johnson, Johnston, Macy, Marshall, Moon, McClure, McIntosh, Null, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Willard, Youche and Zimmerman. Total, 34.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Foulke, Hill, Huston, Lindley, Magee, May, McCullough, Richardson, Smith of Delaware, Weir and Winter. Total, 14.

So the bill passed.

The title as read was adopted.

On motion of Senator Magee, the Senate adjourned.

AFTERNOON SESSION.

APRIL 11, 1885.

The Senate met at 2 o'clock p. m., with Lieutenant Governor Manson in the chair.

Senator Youche moved to suspend the special or regular order and take up Engrossed House Bill No. 92.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Brown, Campbell of Hendricks, Davis, Duncan of Hamilton, Ensley, Ernest, Hilligass, Hoover, Huston, Johnson, Johnston, Macy, Marshall, May, McClure, McCullough, Null, Richardson, Winter, Youche, and Zimmerman. Total, 21.

Those voting in the negative were:

Senator Adkinson, Bailey, Benz, Campbell of St. Joseph, Duncan of Brown, Faulkner, Foulke, Fowler, Hill, Lindley, McIntosh, Overstreet, Peterson, Rahm, Schloss, Sellers, Shively, Smith of Jay, Weir, and Willard. Total, 20.

So the special order was not suspended.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 148, 377, 164, 159 and 145 with Enrolled Senate Acts 148, 377, 164, 159 and 145, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President announced that he had signed Enrolled Senate Acts Nos. 148, 377, 164, 159 and 145.

The following message was received from the House of Representatives:

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Senate Bill No. 200, with amendments, and the same is hereby transmitted to the Senate.

H. C. DARNELL,
Clerk.

The following communication was received from the Governor :

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, April 11, 1885.

To the Honorable, the President of the Senate :

By the direction of the Governor I have the honor to inform the Senate that he has received, approved and signed Senate Enrolled Acts Nos. 18, 67, 113, 177, 302, 366, and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

The following message was received from the House :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 204, 192 and 195, and the same are hereby transmitted to the Senate.

H. C. DARNELL,
Clerk.

The President announced that he had signed Enrolled House Acts Nos. 101 and 44.

The following message was received from the House :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 328 and 257, with amendments, and the same are hereby transmitted to the Senate.

H. C. DARNELL,
Clerk.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT: •

Your Committee on Enrolled Bills have compared Engrossed Senate Bill No. 195 with Enrolled Senate Act No. 195, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President announced that he had signed Enrolled Act No. 71.

The special order for this hour being Engrossed House Bill No. 361, the same was taken up.

Engrossed House Bill No. 361 was read a third time.

Senator Youche, from the conference committee on Senate Bill No. 295, made the following report:

MR. PRESIDENT:

The conference committee appointed by the Senate and House of Representatives in regard to the matters of difference between the two Houses in relation to Senate Bill 295 have had the same under advisement, and said committee respectfully recommend and report that the House of Representatives recede from House engrossed amendments No. 1 and No. 2 and that the Senate accede to House engrossed amendments No. 3 and No. 4.

Also, that said be amended as follows: Amend section 1, on page 4, by striking out all after the word "appraisers," in line 9, and insert the following: "To ascertain and fix the amount and value of the real property and buildings of any county or county seat, it shall be the duty of the County Board of any county before, whom a petition shall be filed as above provided in this section, to direct the Auditor of said county to notify the Governor of the State of the filing of the same, who shall, upon the reception of said notice, appoint three disinterested persons, non-residents of said county, as commissioners to examine said real estate of said county seat belonging to such county, and assess the value thereof, including the buildings and improvements thereon situate. And to enable them so to

do, they shall meet at said county seat on a day whereof public notice shall be given, and they may examine competent witnesses as to such value, and after they, or a majority of them, shall have agreed, they shall make out duplicate statements of such action and conclusion, and file one copy with the Auditor of said county, and transmit by mail the other copy to the Governor of the State: *Provided*, That no county seat shall be removed under the provisions of this act a less distance than one mile, nor a greater distance than fourteen miles, from the location of the court house before such removal."

Also, amend said bill as follows: Amend section 9 by striking out all after the words "section 9," and insert the following: "When the relocation of any county seat shall have been completed, and the books and records removed to the new county seat, it shall be the duty of the Board of County Commissioners of such county to convey in fee to the municipal corporation where the old county seat was located, all the interest and estate of the county in such public grounds and buildings."

A. G. SMITH,

J. W. YOCHE,

Committee for the Senate.

W. D. MAUCK,

R. B. SEARS,

Committee for the House.

On concurring in the report of the conference committee.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Foulke, Hilligass, Hoover, Howard, Huston, Johnson, Lindley, Macy, Marshall, Moon, McClure, Rahm, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Weir, Winter, Youche and Zimmerman. Total, 32.

Those voting in the negative were:

Senators Fowler, Hill, Magee, May, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson and Willard.

Report concurred in.

The following message was received from the House:

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bills Nos. 235 and 76, and the same are hereby transmitted to the Senate.

H. C. DARNELL,
Clerk.

Senator Hilligass moved that the House amendments to Senate Bill No. 200 be concurred in.

Carried.

Senator Ensley moved that the House amendments to Senate Bill No. 328 be concurred in.

Carried.

Senator Magee offered his resignation as President *pro tem.* of the Senate, as follows:

MR. PRESIDENT:

I hereby tender my resignation as President *pro tem.* of the Senate, to take effect upon the selection of my successor.

RUFUS MAGEE.

On motion the resignation was accepted.

Senator Bailey moved that the House amendments to Senate Bill No. 20 be concurred in.

Carried.

Senator Smith of Jennings moved that the House amendments to Senate Bill No. 257 be concurred in.

Carried.

Senator Smith of Jennings moved that the House amendments to Senate Bill No. 192 be concurred in.

Carried.

Senator McCullough, from the Committee on Judiciary, offered the following concurrent resolution in relation to expenses of the Judiciary Committee's investigation, etc., of the John Martin claim.

Which was adopted.

Senator Winter moved to take up Senate Bill No. 129, and concur in the amendments thereto by the House.

The motion was carried, and the amendments were concurred in.

On motion of Senator Willard, the Senate adjourned until 7:30 o'clock this evening.

--- EVENING SESSION.

APRIL 11, 1885.

Senate met at 7:30 o'clock, with Lieutenant-Governor Manson in the chair.

House amendments to Senate Bill No. 76, was read.

On motion of Senator Smith, of Jay, the Senate refused to concur in said amendments, and a conference committee was appointed.

Committee appointed were, Senators Smith, of Jay, and Macy.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has appointed Messrs. Sears and Moody, as a committee on the part of the House, to consider Senate Bill No. 76. Also, the House has concurred in report of conference committee on Senate Bill No. 295.

H. C. DARNELL,
Clerk.

Leave of absence was granted to Senators Smith, of Jay, and Macy, for the purpose of meeting the conference committee of the House of Representatives, on Senate Bill No. 76.

The question being on concurring in the minority report of the Committee on House Bill No. 361, which recommends that the bill do lie on the table.

The ayes and noes being demanded and called, resulted as follows:

61—SENATE.

Those voting in the affirmative were :

Senators Benz, Brown, Bryant, Drake, Duncan of Hamilton, Ernest, Faulkner, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Smith of Jay, and Zimmerman. Total, 18.

Those voting in the negative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Brown, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, Moon, Rahm, Schloss, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter and Youche. Total, 26.

So the motion was lost.

On motion the majority report on Engrossed House Bill No. 361 was concurred in, recommending the passage of the bill.

Engrossed House Bill No. 361 was put upon its passage.

The question being, Shall the bill pass ?

The roll was called and resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Davis, Duncan of Brown, Ensley, Foulke, Hill, Hilligass, Hoover, Huston, Johnson, Lindley, Macy, Magee, Marshall, Moon, Rahm, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Winter and Youche. Total, 28.

Those voting in the negative were :

Senators Benz, Brown, Bryant, Drake, Duncan of Hamilton, Ernest, Faulkner, Howard, May, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Smith of Jay, and Zimmerman. Total, 19.

So the bill passed.

The title as read was adopted.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has concurred in the report of conference committee on Senate Bill No. 76. Also, that the House has passed Senate Bill No. 237, and the same is herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT :

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 195, 368, 20 and 235 with Enrolled Senate Acts Nos. 195, 368, 20 and 235, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President announced that he had signed Enrolled Senate Acts Nos. 195, 368, 20 and 235.

Senator Smith, of Jay, moved that the special order be discharged.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Benz, Brown, Bryant, Davis, Duncan of Hamilton, Duncan of Brown, Ernest, Faulkner, Hill, Hoover, Macy, May, McCullough, McIntosh, Null, Peterson, Richardson, Sellers, Shively, Smith of Jay, Youche and Zimmerman. Total, 22.

Those voting in the negative were :

Senators Adkinson, Bailey, Campbell of Hendricks, Campbell of St. Joseph, Drake, Ensley, Foulke, Hilligass, Howard, Huston, Johuson, Johnston, Lindley, Magee, Marshall, Moon, McClure, Overstreet, Rahm, Schloss, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard and Winter. Total, 26.

So the motion was lost.

Senator Smith of Jay made the following report :

MR. PRESIDENT :

Your conference committee, appointed to consider the House amendments to Senate Bill No. 76, having had the same under consideration, report back to the Senate, recommending that the House shall recede from its amendments. •

R. B. SEARS, }	House	J. M. SMITH, }	Senate
D. M. MOODY, }	Committee.	J. W. MACY, }	Committee.

Concurred in.

The following message was received from the House :

MR. PRESIDENT :

I am instructed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 104, and the same is hereby transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

The President announced that he had signed Enrolled House Act No. 361.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bill No. 258, and the same is hereby transmitted to the Senate.

H. C. DARNELL,
Principal Clerk.

The Senate went into Committee of the Whole to consider the Specific Appropriation Bill.

The chairman of the Committee of the Whole reported progress, and asked leave to sit again on Monday afternoon.

Granted.

Engrossed House Bill No. 548 was taken up, and majority and minority reports of the special committee were read, the majority report recommending that the bill do pass, and the minority report recommending that the bill be amended and then do pass.

Senator Smith of Jennings moved to adopt the majority report.

Senator Weir demanded the previous question.

Which was seconded.

The question being, Shall the main question be now put?

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Brown, Bryant, Hill, Hoover, Johnston, Marshall, McCullough, Peterson, Schloss, Smith of Jennings, Smith of Jay, Thompson, Weir, and Zimmerman. Total, 17.

Those voting in the negative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Foulke, Huston, Lindley, Macy, McClure, McIntosh, Overstreet, Richardson, Shively, Smith of Delaware, Willard, Winter, and Youche. Total, 19.

So the motion was lost.

The question being on the adoption of the majority report.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Bailey, Benz, Bryant, Duncan of Brown, Hoover, Johnston, McIntosh, Schloss, Shively, Smith of Jennings, Smith of Jay, Weir, Willard and Zimmerman. Total, 14.

Those voting in the affirmative were:

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Ensley, Ernest, Faulkner, Foulke, Huston, Lindley, Macy, Marshall, McClure, Overstreet, Peterson, Richardson, Smith of Delaware, Thompson, Winter and Youche. Total, 24.

So the motion was lost.

The question being on concurring in the minority report with amendments.

The same was concurred in and amendments considered engrossed.

Engrossed House Bill No. 548, was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Drake, Duncan of Hamilton, Duncan of Brown, Faulkner, Hill, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, Null, Overstreet, Schloss, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 29.

Those voting in the negative were: .

Senators Benz, Davis, Ernest, McClure, McCullough, McIntosh, Peterson, Richardson and Sellers. Total, 9.

So the bill passed.

The title as read was adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has passed Engrossed Senate Bills Nos. 296 and 322, and the same are hereby transmitted to the Senate.

H. C. DARNELL,

Clerk.

Senator Smith, of Jennings, from the Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bills No. 76, 204, 328, and 295, with Eurolled Senate Acts Nos. 76, 204, 328, and 295, and find the same correctly enrolled.

A. G. SMITH,

Chairman.

Senators Magee, Hilligass and Johnson, were granted leave of absence until Monday.

The Chair announced that he had signed Enrolled Senate Acts Nos. 76, 204, 328, and 275.

On motion of Senator Zimmerman, Engrossed House Bill No. 314 was taken up.

Engrossed House Bill No. 314 was read a third time, and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Faulkner, Foulke, Hill, Howard, Huston, Johnston, Lindley, Macy, Marshall, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Shively, Thompson, Weir, Willard, Winter, Youche, Zimmerman. Total, 38.

Those voting in the negative were:

Senators Smith of Jennings, and Smith of Randolph. Total, 2.

So the bill passed.

The title as read was adopted.

On motion of Senator Weir, Engrossed House Bill No. 239, was taken up, and the following majority and minority report was read:

MR. PRESIDENT:

Your Committee on the Judiciary has had under consideration Engrossed House Bill No. 239, a bill for the relief of Henry Kiefer and Robert Curran, of Laporte county, Indiana, and the following members of said committee recommend that the bill be laid on the table.

F. WINTER,
On part of majority.

MR. PRESIDENT:

Your Committee on the Judiciary has had under consideration Engrossed House Bill No. 239, a bill for the relief of Henry Kiefer and Robert Curran, of Laporte county, Indiana, and the following members of said committee recommend that the bill do pass.

SENATOR WEIR,
On part of minority.

Senator Weir moved that the minority report be concurred in.

Carried.

Engrossed House Bill No. 239 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows :

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Duncan of Brown, Hoover, Howard, Johnston, Lindley, Marshall, May, Moon, McClure, Null, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 26.

Those voting in the negative were :

Senators Benz, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Ernest, Faulkner, Foulke, Huston, McIntosh, Overstreet, Smith of Delaware, Winter and Youche. Total, 15.

So the bill passed.

The title as read was adopted.

The following message was received from the House :

MR. PRESIDENT:

I am instructed by the House to inform the Senate that the House has passed Engrossed House Bill No. 362, and the same is hereby transmitted to the Senate for its action.

H. C. DARNELL,
Clerk.

Engrossed House Bill No. 153 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Bryant, Campbell of St. Joseph, Davis, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Hill, Hoover, Huston, Johnston, Lindley, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Winter, Zimmerman. Total, 37.

Those voting in the negative were:

Senators Howard and Willard. Total, 2.

So the bill passed.

Title as read adopted.

On motion of Senator Brown, Engrossed House Bill No. 200 was taken up and put upon its passage.

The question being, Shall the bill pass?

The roll was called and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Duncan of Brown, Faulkner, Hill, Hoover, Johnston, Macy, May, Moon, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard and Zimmerman. Total, 27.

Those voting in the negative were:

Senators Benz, Campbell of St. Joseph, Drake, Ensley, Foulke, Howard, Huston, Lindley, Overstreet, Schloss and Winter. Total, 12.

So the bill passed.

The title as read was adopted.

Engrossed House Bill No. 41 was read a second time.

Senator Campbell moved to suspend the constitutional rule and read the bill a third time and put it upon its passage.

The ayes and noes being demanded and called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Brown, Campbell of St. Joseph, Drake, Duncan of Tipton, Duncan of Brown, Ensley, Faulkner, Foulke, Hill, Hoover, Huston, Johnston, Macy, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Sellers, Smith of Jennings, Smith of Delaware, Thompson, Weir, Willard, Youche and Zimmerman. Total, 37.

Those voting in the negative were:

Senators Howard, and Smith of Jay. Total, 2.

So the rule was suspended.

Engrossed House Bill No. 41 was read a third time and put upon its passage.

The question being, Shall the bill pass?

The roll was called, and resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Benz, Bryant, Campbell of St. Joseph, Drake, Duncan of Hamilton, Duncan of Brown, Ernest, Foulke, Hill, Hoover, Huston, Johnston, Lindley, Macy, Marshall, May, Moon, McCullough, McIntosh, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Smith of Delaware, Thompson, Weir, Willard and Youche. Total, 34.

So the bill passed.

The title as read was adopted.

Senator Smith, of Jennings, from the Committee on Enrolled Bills, made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills have compared Engrossed Senate Bills Nos. 253, 237, 296, 192, 257, 104, 129, 322 and 200

with Enrolled Senate Acts Nos. 258, 237, 296, 192, 257, 104, 129, 322 and 200, and find the same correctly enrolled.

A. G. SMITH,
Chairman.

The President announced that he had signed Enrolled Senate Acts Nos. 258, 237, 296, 192, 257, 104, 129, 322 and 200.

The President declared the Senate adjourned.

MAHLON D. MANSON,
President of the Senate.

MONDAY MORNING.

APRIL 13, 1885.

Senate met in special session at 9:30 o'clock, with Lieutenant Governor Manson in the chair.

Opened with prayer by the Rev. Mr. Staley, of the House of Representatives.

On motion, the reading of the journal was dispensed with.

Senator Hilligass offered the following resolution :

Resolved, That the thanks of the members of the Senate are due and hereby tendered General Mahlon D. Manson, Lieutenant Governor, for his impartial and courteous treatment of Senators as the presiding officer of this body, and that we extend to him our best wishes for his future success and happiness.

HILLIGASS.

Senator McIntosh offered the following resolution :

WHEREAS, Robert A. Taylor, Chief of the Enrolling and Engrossing force of the Senate of the Fifty-fourth General Assembly of Indiana, has been untiring in the discharge of his duties, and at all times courteous to all with whom he has had business. Therefore, be it

Resolved by the Senate, That the thanks of the Senate be and they are hereby tendered to said R. A. Taylor, for the prompt and efficient discharge of each duty.

McINTOSH.

Adopted unanimously.

Senator Weir placed in nomination Senator Smith of Jennings as President pro. tem. of the Senate.

Senator Huston placed in nomination Senator Campbell of Hendricks. .

The roll was called and resulted as follows :

Those voting for Senator Smith, were :

Senators Bailey, Brown, Bryant, Duncan of Brown, Ernest, Fowler, Hill, Hilligass, Hoover, Howard, Johnston, Magee, May, McClure, McCullough, McIntosh, Null, Peterson, Rahm, Richardson, Schloss, Sellers, Shively, Smith of Jay, Thompson, Weir, Willard and Zimmerman. Total, 28.

Those voting for Senator Campbell, of Hendricks, were:

Senators Adkinson, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Ensley, Foulke, Huston, Lindley, Macy, Marshall, Moon, Overstreet, Winter and Youche. Total, 15.

Senator Smith having received a majority of all the votes cast, was declared by the Chair duly elected President, *pro tempore*, of the Senate.

Senator Huston moved to take up House Bill No. 33, and be read a third time and put upon its passage.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Foulke, Fowler, Hill, Hoover, Huston, Johnston, Lindley, Macy, Marshall, Moon, Overstreet and Youche. Total, 21.

Those voting in the negative were :

Senators Bailey, Brown, Bryant, Ernest, Hilligass, Howard, Magee, May, McClure, McCullough, McIntosh, Null, Peterson,

Bahm, Richardson, Schloss, Sellers, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter and Zimmerman. Total, 25.

So the motion was lost.

The Chair announced that he had signed Enrolled House Acts Nos. 314, 153, 41, 200, and 239.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 20, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

On motion of Senator Foulke, the following resolution was read.

A joint resolution proposing an amendment to section 1 of article 12 of the Constitution of the State:

Be it resolved by the General Assembly of the State of Indiana, That the following amendment to the Constitution of the State of Indiana be and the same is hereby proposed, to wit:

Amend section 1 of article 12 by striking out the word "white" contained in said section.

Resolved further, That in voting on this amendment it shall be designated and known as Amendment No. 3.

Senate amendment to House Joint Resolution No. 6: Amend by adding after the word "proposed" in line 6, page 2, the words "and agreed to."

The Senate amendment was concurred in.

House Joint Resolution No. 6 was taken up and read the third time.

The question being, Shall the resolution pass?

The ayes and noes being called, resulted as follows:

Those voting in the affirmative were:

Senators Adkinson, Bailey, Brown, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Ernest, Foulke, Fowler, Hill, Hilligass, Hoover, Howard, Huston, Johnston, Lindley, Macy, Magee, Marshall, May, Moon, McClure, McCullough, McIntosh, Null, Overstreet, Peterson, Rahm, Richardson, Schloss, Shively, Smith of Jennings, Smith of Jay, Thompson, Weir, Willard, Winter, Youche and Zimmerman. Total, 44.

No Senator voting in the negative.

So the resolution passed.

Senator Weir offered the following resolution:

Resolved by the Senate, the House of Representatives concurring, That Clark & McGauley be allowed the sum of \$70 for gas fixtures furnished for the Senate of the Fifty-fourth General Assembly, per order of the Doorkeeper, and allowed by the Committee on Claims, and the President of the Senate is hereby directed to draw his warrant for the same.

WEIR.

Adopted.

Senator Weir called up Resolution No. 13, the same being the McCook claim for ice.

The same was adopted.

Senator Weir called up House Concurrent Resolution No. 11.

Which was adopted.

The following House Concurrent Resolution was introduced:

MR. SPEAKER:

Be it resolved by the House of Representatives, the Senate concurring, That the members of this General Assembly be allowed to retain the copies of the Revised Statutes now in their possession by paying the Secretary of State one dollar and fifty cents each, taking his receipt for the same.

A. D. HELMS.

Adopted.

Senator Weir made a report on a resolution in reference to payment for indexing, etc., of the journals and calendar by the Secretary and Assistant Secretary.

Senator McIntosh offered the following substitute for the resolution :

WHEREAS, The law provides that the Principal Secretary and Assistant Secretary shall index the Calendars and Journals of the Senate, and the Senate shall make a just compensation for the same; therefore, be it

Resolved, That Albert J. Kelly, Principal Secretary, be allowed the sum of \$150; that John D. Carter, Assistant Secretary, be allowed the sum of \$300 for the performance of the above mentioned duty, and the President of the Senate be instructed to draw his warrant for the above named amounts. *Provided*, That said money shall only be paid when the work is done, and that fact shall be made to appear by the certificate of the Secretary of State.

Senator Willard offered the following amendment to the amendment:

MR. PRESIDENT:

I move to amend by striking out \$300 and inserting \$150.

On motion of Senator Campbell, of Hendricks, the resolution, with the amendment, was referred to a committee of three.

Committee appointed was Senators McCullough, Smith of Jay, and Hill.

Senator Willard moved to refer the resolution, amendment, etc., on the indexing resolution, to a special committee of three.

Carried.

Committee appointed—Senators McCullough, Smith of Jay, and Hill.

Senator Youche offered the following resolution :

Resolved, That the Senate of Indiana hereby expresses its appreciation of the ability, fairness and impartiality with which the Hon. Rufus Magee has presided over the Senate and performed all his duties as its temporary president, and that the thanks of the Senate are hereby tendered him, with its best

wishes for his success in the discharge of the duties of the high office to which he has been appointed by the President of the United States.

Unanimously adopted.

Senator Zimmerman offered the following resolution :

Resolved by this Senate, That we most heartily wish a safe and happy journey across the waves of the Atlantic to the Hon. Rufus Magee and family, to their place of destination, and may he, in the discharge of the arduous duties as Minister to Sweden and Norway, be ever a true and faithful representative of American ideas, pure and simply; and may the stars and stripes wave welcome and protection from the headquarters of the American legation at Stockholm, Sweden, to American citizens abroad, from the highest to the most humble, while in charge of Minister Magee.

Unanimously adopted.

Senator Winter called up House Concurrent Resolution No. 20, in reference to paying the Commissioners of Marion county, \$1,500 for gas fuel and extra rooms furnished by said Commissioners, to the 54th General Assembly.

Which was read and adopted.

Senator Rahm offered the following motion :

MR. PRESIDENT:

I move that a committee of two, on the part of the Senate, be appointed to act in conjunction with a like committee of the House, for the purpose of waiting on His Excellency, Governor Gray, to inquire if he has anything further to communicate to this body.

The motion carried.

Senator Marshall introduced the following resolution:

Be it resolved by the Senate, the House of Representatives concurring, That Joseph W. Cope, Principal Doorkeeper of the Senate, be allowed the sum of twenty-five dollars and eighty cents, for cash advanced for articles purchased for use of Senate, and for washing towels used in wash room.

Adopted.

Senator Bailey offered the following resolution :

Resolved, That James J. Walsh be allowed \$96 for extra work as Reading Clerk of this Senate. He has done his work well, and deserves this recognition, and the President of the Senate is hereby authorized to draw his warrant for said sum in favor of said Walsh.

Failed to pass.

Senator Rahm offered the following amendment :

Resolved, That P. M. Raleigh, Register Clerk of the Senate, be allowed one dollar per day for keeping the Senate Calendar.

Senator Magee moved to lay the resolution on the table with the amendment.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bryant, Campbell of Hendricks, Campbell of St. Joseph, Davis, Day, Drake, Duncan of Hamilton, Duncan of Brown, Ensley, Fowler, Howard, Huston, Johnston, Macy, Magee, Marshall, May, Moon, McIntosh, Overstreet, Peterson, Richardson, Smith of Delaware, Weir, Winter and Zimmerman. Total, 30.

Those voting in the negative were :

Senators Bailey, Foulke, Hilligass, Johnson, McClure, Rahm, Schloss, Sellers, Smith of Jennings, Thompson and Willard. Total, 11.

So the motion carried.

Senator Zimmerman offered the following resolution :

Resolved by the Senate, That sincere thanks are hereby tendered to the different clergymen, including several members of the House of Representatives, for opening the morning sessions of the Senate with prayer during the regular and special sessions of the Fifty-fourth General Assembly.

ZIMMERMAN.

Adopted.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 18, and the same is herewith transmitted to the Senate for its action.

H. C. DARNELL,
Clerk of the House.

Senator McClure, from the special committee in relation to employes of the Senate, offers the following report:

Be it resolved by the Senate, That \$88 be paid Edgar F. Johnson as page during the regular session of the General Assembly.

Adopted.

Senator McClure, from the Committee on Benevolent Institutions, made the following report on Senate Bill No. 367:

MR. PRESIDENT:

Your Committee on Benevolent and Reformatory Institutions, to whom was referred Senate Bill No. 367, introduced by Senator Thompson, entitled a bill for an act providing a dentist for the State Reformatory and Benevolent Institutions, fixing the salary and fees of such dentist, and declaring an emergency, have had the same under consideration, and said committee have directed me to report said bill back to the Senate and recommend that it be indefinitely postponed.

McCLURE,
Chairman.

Senator Magee offered the following resolution:

Resolved, That the thanks of the Senate are hereby tendered to the various reporters of the Indianapolis papers for the fair and impartial reports made by them of the proceedings of the regular and special session of the Fifty-fourth General Assembly of the State of Indiana.

Senator Smith, of Jennings, moved to except Wm. Fortune, the reporter of the Indianapolis *Journal*.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate that the House has concurred in Senate amendments to Joint Resolution No. 6, and adopted Senate Concurrent Resolutions Nos. 38, 37 and 39, and passed House Concurrent Resolutions Nos. 22 and 19, and the same are herewith transmitted to the Senate.

H. C. DARNELL,
Clerk.

On motion of Senator Brown, the Senate adjourned.

AFTERNOON SESSION.

APRIL 13, 1885.

Senate met at 2:30 o'clock, Lieutenant Governor Manson in the chair.

On motion of Senator Smith, of Jennings, there was a call of the Senate, 35 Senators answered to their names.

The following message was received from the House :

MR. PRESIDENT:

I am directed by the House to inform the Senate, that the House has passed House Concurrent Resolution No. 23, and the same is herewith transmitted to the Senate for its action thereon.

H. C. DARNELL,
Clerk.

Senator Huston from the committee appointed to call upon the Governor, made the following report:

MR. PRESIDENT:

Your committee appointed to wait upon His Excellency, the Governor, and ascertain whether he had further communications to make to this body, would respectfully make this report:

We waited upon the Governor and he informed us that he had no further communications to make.

RAHM,
HUSTON,
Committee.

The question being on Senator Fowler's motion to expel Mr. Fortune from the floor of the Senate.

Senator Johnson moved that the resolution and amendments in regard to the newspaper reporters, be indefinitely postponed.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Campbell of Hendricks, Campbell of St. Joseph, Davis, Drake, Duncan of Hamilton, Foulke, Hill, Huston, Johnson, Lindley, Macy, Marshall, Moon, Overstreet, Peterson, Richardson, Sellers, Willard, Winter, Zimmerman, and Mr. President. Total, 22.

Those voting in the negative were :

Senators Bailey, Brown, Bryant, Day, Duncan of Brown, Fowler, Hilligass, Hoover, Howard, Johnston, May, McClure, McCullough, McIntosh, Null, Schloss, Shively, Smith of Jennings, Smith of Jay, and Thompson. Total, 20.

So the motion carried.

The following message was received from the House :

MR. PRESIDENT :

I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution No. 24, and the same is herewith transmitted to the Senate. Also, House Concurrent Resolution No. 25, allowing Miss Lizzie O. Callis \$25 for removing the furniture of the House and Senate.

H. C. DARNELL,
Principal Clerk.

Senator Ensley offered the following resolution :

Resolved by the Senate, That a vote of thanks be given to Joseph Cope for the able and impartial manner in which he has discharged the duties of his office as Doorkeeper of the Senate.

ENSLEY.

Senator Rahm offered the following Concurrent Resolution :

Resolved by the Senate, the House concurring, That Joseph W. Cope, Doorkeeper, be and is hereby allowed the sum of thirty dollars for work to be performed in taking a complete inventory of the property of the Senate belonging to the State, and which he is to turn over to the State Librarian, taking her receipt for the same, and turning over said receipt to the President of the Senate.

Adopted.

Senator Marshall introduced the following resolution :

Be it resolved by the Senate, the House of Representatives concurring, That Joseph W. Cope, Principal Doorkeeper of the Senate, be allowed the sum of twenty-five dollars and eighty cents for cash advanced for articles purchased for use of Senate and for washing towels used in wash room.

Adopted.

Senator Willard offered the following resolution :

Resolved, That William H. Drapier be and he is hereby elected Stenographer of the Senate, and instead of a per diem he be allowed for the same number of copies of the Brevier Legislative Reports, of the present Assembly, at the same price as has been paid by the State for said Reports since 1867, and for years before under resolutions and acts in exact and identical words as to price and number of copies ; and the President of the Senate is hereby directed to issue his warrant therefor as in case of other officers of the Senate. The Bureau of Printing is directed to have said Reports bound, as heretofore by the State ; and said Stenographer is directed to forward ten copies to each member of the General Assembly.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Adkinson, Bailey, Bryant, Campbell of Hendricks, Davis, Hilligass, Huston, Johnson, Johnston, Lindley, Macy, Marshall, May, Moon, McClure, Smith of Jay, Thompson, Weir, Willard, and Zimmerman. Total, 20.

Those voting in the negative were :

Senators Brown, Day, Drake, Duncan of Brown, Fowler, Hill, Hoover, McCullough, McIntosh, Null, Overstreet, Peterson, Richardson, Schloss, Sellers, and Winter. Total, 16.

So the resolution was adopted.

The following resolution was introduced by Senator Willard :

Resolved by the Senate, That Miss Minnie Turpin be allowed for thirty-five days' service as assistant in the enrolling and engrossing department of the Senate.

Adopted.

The following report was received from the special committee on Senate Resolution No. —:

MR. PRESIDENT :

A majority of the special committee to whom was referred Senate Resolution No. —, have had the same under consideration, and we return the same with the recommendation that said resolution be amended, allowing the Principal Secretary and Assistant Secretary each \$250.

JOHN M. SMITH,
JAMES HILL.

Adopted.

The report of the Committee on Indexing, etc., was then adopted as amended.

Senator Bailey offered the following resolution :

Resolved, That James Walsh, Reading Clerk of the Senate, be allowed the sum of ninety-five dollars for extra services as such Reading Clerk for the regular and special sessions, and that the President of the Senate is hereby authorized to draw his warrant for same.

The ayes and noes being demanded and called, resulted as follows :

Those voting in the affirmative were :

Senators Bailey, Bryant, Duncan of Brown, Foulke, Hilligass, Howard, Johnson, Johnston, Macy, Marshall, Moon, McClure, McCullough, Sellers, Smith of Jennings, Smith of Jay, Thompson, Weir and Willard. Total, 19.

Those voting in the negative were:

Senators Davis, Day, Fowler, Hill, Hoover, Magee, May, McIntosh, Null, Overstreet, Peterson, Richardson, Shively, Winter and Zimmerman. Total, 15.

Adopted.

The following concurrent resolution was received from the House:

J. Milo Barr has not received any pay for services rendered as Page during the regular session; therefore,

Resolved by the House, the Senate concurring, That the Speaker draw his warrant for forty dollars for said Barr.

D. D. MOODY.

Adopted.

Concurrent Resolution No. 39:

WHEREAS, H. Meeker served during the regular and part of the special session as Page; therefore,

Resolved by the House, the Senate concurring, That the sum of twenty-five dollars be allowed him.

Adopted.

The following House Concurrent Resolution No. 14:

Be it resolved by the House of Representatives, the Senate concurring, That the State of Indiana, through its Representatives, tender to Sergeant Julius R. Fredricks, of the United States Signal Corps, now a resident of this State, and a citizen of Indianapolis, their thanks for his noble and manly efforts in the interest of scientific investigation, while a member of the Greeley Expedition in their search for a northern passage.

D. D. MOODY.

Adopted.

Resolved by the Senate, the House of Representatives concurring, That the persons herein below named be allowed the amounts, respectively, following their names, for expenses in summoning witnesses and mileage, and attendance as witnesses before the Senate Judiciary Committee in the matter of the investigation

of the claim of John Martin vs. The State of Indiana, and the President of the Senate and the Auditor of State, respectively, are directed to issue the proper warrants to said parties, that they may draw the same out of the State Treasury:

Joseph W. Cope, Doorkeeper of the Senate, for expenses incurred in summoning witnesses	\$50 67
R. H. Tarleton, witness, 1 day, 60 miles.....	4 25
A. G. Porter, witness, 1 day.....	1 25
O. Evarts, witness, 1 day, 250 miles	13 75
Geo. J. Chittenden, witness, 1 day, 74 miles.....	4 95
B. F. Spanu, witness, 2 days, 74 miles.....	6 20
Joseph Rogers, witness, 1 day, 154 miles	8 95
John T. Dye, witness, 2 days.....	2 50
Adolph Scherrer, witness, 4 days.....	5 00
P. Jameson, witness, 1 day	1 25
J. H. Warden, witness, 1 day, 240 miles	13 25
W. H. Hingle, witness, 2 days	2 50
H. H. Malone, witness, 1 day, 70 miles.....	4 75
R. P. Dagget, witness, 4 days	5 00
Ross Clark, witness, 4 days	5 00
Phil. M. Gapin, witness, 6 days.....	7 50
L. Jordan, witness, 6 days	7 50
	<hr/>
	\$144 27

McCULLOUGH.

House Concurrent Resolution No. 19, paying Morrison, Reading Clerk of the House, \$50.00, was adopted.

The following concurrent resolution was received from the House:

WHEREAS, Claude Sears has throughout the regular and special session, voluntarily acted as a page of this House, and has by his mannerly and courtesy won the esteem and admiration of the members of this House; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That he be allowed the sum of twenty-five dollars, and that the Speaker be authorized to draw his warrant for said sum.

Adopted.

Be it resolved by the House of Representatives, the Senate concurring, That the Speaker be and he is hereby authorized, to draw his warrant in favor of Geo. F. Chittenden for the sum of fifteen dollars, for fees, mileage, and per diem, in the matter of the Munson claim; and, that the Speaker also draw his warrant in favor of Benj. F. Spann for ten dollars for like service; and, that the Speaker also draw his warrant in favor of George Pfingst, for extra committee rooms, for the sum of fifty dollars.

Adopted.

The following resolution was presented:

WHEREAS, John H. Anderson, Principal Journal Clerk of the Senate, has been compelled to work every night during the regular and special sessions of this General Assembly, arranging, correcting and fixing the journal in proper shape to be read in this Senate each morning. Therefore, be it

Resolved by the Senate, That the said John H. Anderson, Principal Journal Clerk, etc., is hereby allowed the sum of one dollar per day extra, for each day of the regular and special sessions of the Fifty-fourth General Assembly. And the President of the Senate is hereby authorized and instructed to sign a warrant for said allowance.

Adopted.

The following communication was received from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, April 13, 1885.

To the Honorable, the President of the Senate:

By the direction of the Governor, I have the honor to inform the Senate that he has received, approved, and signed Senate Enrolled Acts Nos. 20, 75, 76, 104, 129, 145, 148, 159, 164, 192, 195, 200, 204, 235, 237, 257, 258, 295, 296, 322, 328, 368, and has caused the same to be filed in the office of the Secretary of State.

He has also received Senate Enrolled Act No. 377 and has caused the same to be filed in the office of the Secretary of State.

PIERRE GRAY,
Private Secretary.

The Lieutenant Governor laid before the Senate the following:
Gentlemen of the Senate :

I have drawn warrants on the Auditor of State for the Regular and Special Sessions, as follows :

REGULAR SESSION.

L. D. ADKINSON—

Jan.	14.	Certificate No. 1, mileage.....	\$30 00
Jan.	30.	Certificate No. 166, per diem.....	150 00
Feb'y	7.	Certificate No. 251, per diem.....	36 00
March	9.	Certificate No. 425, per diem.....	180 00

SPECIAL SESSION.

April	13.	Certificate No. 239, per diem.....	210 00
Total.....			<u>\$606 00</u>

REGULAR SESSION.

L. O. BAILEY—

Jan.	30.	Certificate No. 197, per diem.....	\$150 00
Feb.	23.	Certificate No. 354, per diem.....	100 00
March	9.	Certificate No. 426, per diem.....	116 00

SPECIAL SESSION.

April	6.	Certificate No. 214, per diem.....	75 00
April	13.	Certificate No. 240, per diem.....	135 00
Total.....			<u>\$576 00</u>

REGULAR SESSION.

JOHN BENZ—

Jan.	14.	Certificate No. 2, mileage.....	\$76 00
March	7.	Certificate No. 422, per diem.....	366 00

SPECIAL SESSION.

March	24.	Certificate No. 82, per diem.....	84 00
April	11.	Certificate No. 228, per diem.....	126 00
Total.....			<u>\$652 00</u>

REGULAR SESSION.

M. W. BROWN—

Jan.	14.	Certificate No. 3, mileage.....	\$57 00
Jan.	15.	Certificate No. 54, per diem.....	72 00
Jan.	23.	Certificate No. 117, per diem.....	100 00
Jan.	30.	Certificate No. 178, per diem.....	25 00
Feb.	7.	Certificate No. 258, per diem.....	100 00
Feb.	25.	Certificate No. 361, per diem.....	39 00
March	9.	Certificate No. 427, per diem.....	30 00

SPECIAL SESSION.

March	20.	Certificate No. 42, per diem.....	66 00
March	28.	Certificate No. 104, per diem.....	48 00
April	13.	Certificate No. 241, per diem.....	96 00
Total			\$633 00

REGULAR SESSION.

D. C. BRYANT—

Jan.	14.	Certificate No. 4, mileage.....	\$20 80
Jan.	23.	Certificate No. 102, per diem.....	100 00
Feb.	20.	Certificate No. 341, per diem.....	100 00
March	2.	Certificate No. 390, per diem.....	100 00
March	9.	Certificate No. 428, per diem.....	66 00

SPECIAL SESSION.

April	8.	Certificate No. 159, per diem.....	150 00
April	13.	Certificate No. 242, per diem.....	60 00
Total			\$596 80

REGULAR SESSION.

L. M. CAMPBELL—

Jan.	14.	Certificate No. 5, mileage.....	\$8 80
Jan.	30.	Certificate No. 193, per diem.....	125 00
March	9.	Certificate No. 429, per diem.....	241 00

SPECIAL SESSION.

April	13.	Certificate No. 243, per diem.....	210 00
Total			\$584 80

REGULAR SESSION.

MARVIN CAMPBELL—

Jan. 14.	Certificate No. 6, mileage.....	\$64 00
Jan. 16.	Certificate No. 69, per diem.....	150 00
Feb. 5.	Certificate No. 228, per diem.....	25 00
Feb. 16.	Certificate No. 310, per diem.....	75 00
March 9.	Certificate No. 430, per diem.....	116 00

SPECIAL SESSION.

March 28.	Certificate No. 103, per diem.....	114 00
April 13.	Certificate No. 244, per diem.....	96 00

Total..... \$640 00

REGULAR SESSION.

W. J. DAVIS—

Jan. 14.	Certificate No. 7, mileage.....	\$65 60
Jan. 30.	Certificate No. 137, per diem.....	100 00
Feb. 20.	Certificate No. 335, per diem.....	50 00
March 9.	Certificate No. 431, per diem.....	216 00

SPECIAL SESSION.

April 3.	Certificate No. 155, per diem.....	50 00
April 13.	Certificate No. 245, per diem.....	160 00

Total..... \$641 60

REGULAR SESSION.

JOHN S. DAY—

Jan. 14.	Certificate No. 8, mileage.....	\$45 60
Jan. 28.	Certificate No. 155, per diem.....	125 00
Feb. 3.	Certificate No. 207, per diem.....	50 00
Feb. 12.	Certificate No. 272, per diem.....	50 00
Feb. 24.	Certificate No. 356, per diem.....	50 00
March 9.	Certificate No. 432, per diem.....	91 00

SPECIAL SESSION.

March 24.	Certificate No. 89, per diem.....	84 00
April 3.	Certificate No. 162, per diem.....	66 00
April 10.	Certificate No. 223, per diem.....	30 00
April 13.	Certificate No. 246, per diem.....	30 00

Total..... \$621 60

REGULAR SESSION.

J. S. DRAKE—

Jan.	14.	Certificate No. 9, mileage	\$76 00
Jan.	29.	Certificate No. 158, per diem	100 00
Feb.	14.	Certificate No. 298, per diem	60 00
March	9.	Certificate No. 433, per diem	206 00

SPECIAL SESSION.

March	31.	Certificate No. 146, per diem	120 00
April	7.	Certificate No. 215, per diem	40 00
April	13.	Certificate No. 247, per diem	50 00

Total \$652 00

REGULAR SESSION.

C. C. DUNCAN—

Jan.	14.	Certificate No. 10, mileage	\$26 00
Feb.	14.	Certificate No. 296, per diem	40 00
Feb.	20.	Certificate No. 323, per diem	60 00
March	9.	Certificate No. 434, per diem	266 00

SPECIAL SESSION.

March	26.	Certificate No. 94, per diem	25 00
April	6.	Certificate No. 213, per diem	148 00
April	13.	Certificate No. 248, per diem	42 00

Total \$602 00

REGULAR SESSION.

W. C. DUNCAN—

Jan.	14.	Certificate No. 11, mileage	\$24 40
Jan.	27.	Certificate No. 142, per diem	120 00
Feb.	28.	Certificate No. 374, per diem	75 00
March	9.	Certificate No. 435, per diem	171 00

SPECIAL SESSION.

March	17.	Certificate No. 3, per diem	42 00
April	13.	Certificate No. 249, per diem	168 00

Total \$600 40

REGULAR SESSION.

N. ENSLEY—

Jan.	14.	Certificate No. 12, mileage.....	\$60 00
Feb.	4.	Certificate No. 217, per diem.....	100 00
Feb.	20.	Certificate No. 348, per diem.....	50 00
March	9.	Certificate No. 436, per diem.....	216 00

SPECIAL SESSION.

March	28.	Certificate No. 105, per diem.....	114 00
April	6.	Certificate No. 211, per diem.....	25 00
April	18.	Certificate No. 250, per diem.....	71 00
Total			<u>\$686 00</u>

REGULAR SESSION.

JOSHUA ERNEST—

Jan.	14.	Certificate No. 13, mileage	\$40 00
Jan.	29.	Certificate No. 159, per diem	30 00
Feb.	7.	Certificate No. 253, per diem	30 00
Feb.	11.	Certificate No. 261, per diem	55 00
Feb.	16.	Certificate No. 303, per diem	50 00
Feb.	23.	Certificate No. 353, per diem	111 00
March	2.	Certificate No. 375, per diem	42 00
March	7.	Certificate No. 423, per diem	48 00

SPECIAL SESSION.

March	17.	Certificate No. 41, per diem	48 00
March	24.	Certificate No. 91, per diem	42 00
March	28.	Certificate No. 102, per diem.....	24 00
April	4.	Certificate No. 168, per diem	42 00
April	9.	Certificate No. 220, per diem	30 00
April	11.	Certificate No. 229, per diem	24 00

Total \$616 00

REGULAR SESSION.

C. R. FAULKNER—

Jan. 14.	Certificate No. 14, mileage	\$32 00
Jan. 27.	Certificate No. 132, per diem	120 00
Feb. 11.	Certificate No. 264, per diem	80 00
Feb. 20.	Certificate No. 334, per diem	50 00
March 6.	Certificate No. 412, per diem	116 00

SPECIAL SESSION.

April 11.	Certificate No. 233, per diem	210 00
Total		<u>\$608 00</u>

REGULAR SESSION.

W. D. FOULKE—

Jan. 14.	Certificate No. 15, mileage	\$27 20
Jan. 30.	Certificate No. 183, per diem	125 00
March 9.	Certificate No. 437, per diem	241 00

SPECIAL SESSION.

April 8.	Certificate No. 218, per diem	180 00
April 13.	Certificate No. 251, per diem	80 00
Total		<u>\$608 20</u>

REGULAR SESSION.

I. H. FOWLER—

Jan. 14.	Certificate No. 16, mileage	\$21 20
Jan. 22.	Certificate No. 96, per diem	100 00
Feb. 20.	Certificate No. 337, per diem	100 00
March 9.	Certificate No. 438, per diem	166 00

SPECIAL SESSION.

April 13.	Certificate No. 252, per diem	210 00
Total		<u>\$597 20</u>

REGULAR SESSION.

JAMES HILL—

Jan. 14.	Certificate No. 17, mileage	\$37 60
March 4.	Certificate No. 408, per diem	75 00
March 9.	Certificate No. 439, per diem	291 00

SPECIAL SESSION.

April 3.	Certificate No. 160, per diem	75 00
April 18.	Certificate No. 253, per diem	135 00
Total		<u>\$613 60</u>

REGULAR SESSION.

W. J. HILLIGASS—

Jan. 14.	Certificate No. 18, mileage.....	\$43 20
Jan. 15.	Certificate No. 53, per diem.....	60 00
Jan. 30.	Certificate No. 168, per diem.....	120 00
Feb. 6.	Certificate No. 229, per diem.....	60 00
Feb. 12.	Certificate No. 281, per diem.....	90 00
Feb. 27.	Certificate No. 371, per diem.....	36 00

SPECIAL SESSION.

March 24.	Certificate No. 25, per diem	84 00
April 3.	Certificate No. 165, per diem.....	66 00
April 11.	Certificate No. 231, per diem.....	60 00
Total		<u>\$619 20</u>

REGULAR SESSION.

F. HOOVER—

Jan. 14.	Certificate No. 19, mileage.....	\$40 80
Jan. 30.	Certificate No. 167, per diem.....	100 00
March 7.	Certificate No. 415, per diem.....	248 00
March 9.	Certificate No. 440, per diem.....	18 00

SPECIAL SESSION.

April 18.	Certificate No. 254, per diem.....	210 00
Total		<u>\$616 80</u>

REGULAR SESSION.

F. M. HOWARD—

Jan.	14.	Certificate No. 20, mileage.....	\$15 80
Jan.	15.	Certificate No. 50, per diem.....	100 00
Jan.	28.	Certificate No. 149, per diem.....	50 00
Feb.	4.	Certificate No. 220, per diem.....	50 00
March	2.	Certificate No. 387, per diem.....	50 00
March	6.	Certificate No. 413, per diem.....	98 00
March	9.	Certificate No. 441, per diem.....	18 00

SPECIAL SESSION.

March	17.	Certificate No. 40, per diem.....	48 00
March	25.	Certificate No. 93, per diem.....	48 00
April	9.	Certificate No. 222, per diem.....	90 00
April	13.	Certificate No. 255, per diem.....	24 00

Total \$591 80

REGULAR SESSION.

J. N. HUSTON—

Jan.	14.	Certificate No. 21, mileage.....	\$22 80
March	9.	Certificate No. 442, per diem.....	366 00

SPECIAL SESSION.

April	3.	Certificate No. 156, per diem.....	150 00
April	13.	Certificate No. 256, per diem.....	60 00

Total \$598 80

REGULAR SESSION.

F. JOHNSON—

Jan.	14.	Certificate No. 22, mileage.....	\$25 60
Feb.	7.	Certificate No. 252, per diem.....	180 00
March	4.	Certificate No. 405, per diem.....	150 00
March	9.	Certificate No. 443, per diem.....	36 00

SPECIAL SESSION.

April	9.	Certificate No. 219, per diem.....	186 00
April	13.	Certificate No. 257, per diem.....	24 00

Total \$601 60

REGULAR SESSION.

C. JOHNSTON—

Jan. 14.	Certificate No. 23, mileage.....	\$40 00
Feb. 25.	Certificate No. 360, per diem.....	50 00
March 9.	Certificate No. 444, per diem.....	316 00

SPECIAL SESSION.

April 18.	Certificate No. 258, per diem.....	210 00
Total		<u>\$616 00</u>

REGULAR SESSION.

J. H. LINDLEY—

Jan. 14.	Certificate No. 24, mileage.....	\$40 40
Feb. 2.	Certificate No. 202, per diem.....	100 00
Feb. 17.	Certificate No. 304, per diem.....	100 00
Feb. 27.	Certificate No. 373, per diem.....	100 00
March 9.	Certificate No. 445, per diem.....	66 00

SPECIAL SESSION.

April 2.	Certificate No. 153, per diem.....	100 00
April 13.	Certificate No. 259, per diem.....	110 00
Total		<u>\$616 40</u>

REGULAR SESSION.

J. W. MACY—

Jan. 14.	Certificate No. 25, mileage.....	\$30 00
Feb. 12.	Certificate No. 279, per diem	216 00
March 9.	Certificate No. 446, per diem.....	150 00

SPECIAL SESSION.

April 13.	Certificate No. 260, per diem	210 00
Total		<u>\$606 00</u>

REGULAR SESSION.

RUFUS MAGEE—

Jan.	14.	Certificate No. 26, mileage.....	\$30 80
Jan.	16.	Certificate No. 88, per diem.....	78 00
Feb.	4.	Certificate No. 252, per diem.....	82 00
Feb.	18.	Certificate No. 307, per diem.....	92 00
March	3.	Certificate No. 395, per diem.....	50 00
March	9.	Certificate No. 447, per diem.....	64 00

SPECIAL SESSION.

March	24.	Certificate No. 27, per diem.....	90 00
April	11.	Certificate No. 237, per diem.....	120 00
Total			<u>\$606 80</u>

REGULAR SESSION.

A. MARSHALL—

Jan.	14.	Certificate No. 27, mileage.....	\$36 00
Jan.	28.	Certificate No. 156, per diem.....	15 00
Feb.	12.	Certificate No. 274, per diem.....	15 00
Feb.	20.	Certificate No. 338, per diem.....	100 00
Feb.	27.	Certificate No. 370, per diem.....	27 00
March	7.	Certificate No. 418, per diem.....	50 00
March	9.	Certificate No. 448, per diem.....	159 00

SPECIAL SESSION.

March	28.	Certificate No. 106, per diem.....	10 00
April	9.	Certificate No. 221, per diem.....	35 00
April	13.	Certificate No. 261, per diem.....	165 00
Total			<u>\$612 00</u>

REGULAR SESSION.

H. J. MAY—

Jan.	14.	Certificate No. 28, mileage.....	\$100 00
Feb.	5.	Certificate No. 222, per diem.....	60 00
Feb.	7.	Certificate No. 256, per diem.....	306 00

SPECIAL SESSION.

March	24.	Certificate No. 83, per diem.....	84 00
April	6.	Certificate No. 210, per diem.....	84 00
April	13.	Certificate No. 262, per diem.....	42 00
Total.....			<u>\$676 00</u>

REGULAR SESSION.

G. MOON—

Jan.	14.	Certificate No. 29, mileage.....	\$48 00
Jan.	22.	Certificate No. 97, per diem.....	100 00
Feb.	4.	Certificate No. 221, per diem.....	50 00
Feb.	20.	Certificate No. 342, per diem.....	100 00
March	9.	Certificate No. 449, per diem.....	116 00

SPECIAL SESSION.

March	24.	Certificate No. 92, per diem	84 00
April	13.	Certificate No. 263, per diem.....	126 00
Total			<u>\$624 00</u>

REGULAR SESSION.

D. McCLURE—

March	9.	Certificate No. 461, mileage.....	\$44 00
March	9.	Certificate No. 462, per diem.....	366 00

SPECIAL SESSION.

April	13.	Certificate No. 264.....	210 00
Total			<u>\$620 00</u>

REGULAR SESSION.

J. E. McCULLOUGH—

Jan.	14.	Certificate No. 31, mileage.....	\$62 80
Feb.	3.	Certificate No. 213, per diem.....	150 00
Feb.	19.	Certificate No. 313, per diem.....	85 00
March	9.	Certificate No. 450, per diem.....	181 00

SPECIAL SESSION.

April	2.	Certificate No. 154, per diem.....	100 00
April	13.	Certificate No. 265, per diem.....	110 00
Total.....			<u>\$638 80</u>

REGULAR SESSION.

J. P. McINTOSH—

Jan.	14.	Certificate No. 32, mileage.....	\$28 00
Feb.	21.	Certificate No. 352, per diem.....	276 00
March	9.	Certificate No. 451, per diem.....	90 00

SPECIAL SESSION.

April	13.	Certificate No. 266, per diem.....	210 00
Total.....			<u>\$604 00</u>

REGULAR SESSION.

L. S. NULL—

Jan.	14.	Certificate No. 33, mileage.....	\$53 20
Jan.	28.	Certificate No. 152, per diem.....	130 00
Feb.	12.	Certificate No. 271, per diem.....	86 00
Feb.	19.	Certificate No. 321, per diem.....	50 00
March	2.	Certificate No. 393, per diem.....	52 00
March	9.	Certificate No. 452, per diem.....	48 00

SPECIAL SESSION.

March	24.	Certificate No. 90, per diem.....	84 00
April	3.	Certificate No. 161, per diem.....	66 00
April	11.	Certificate No. 236, per diem.....	60 00
Total.....			<u>\$629 20</u>

REGULAR SESSION.

G. OVERSTREET—

Jan. 14.	Certificate No. 34, mileage.....	\$8 20
March 7.	Certificate No. 424, per diem.....	366 00

SPECIAL SESSION.

April 13,	Certificate No. 267, per diem.....	210 00
Total		<u>\$584 20</u>

REGULAR SESSION.

S. PETERSON—

Jan. 14.	Certificate No. 35, mileage.....	\$22 20
Jan. 23.	Certificate No. 104, per diem.....	100 00
Jan. 30.	Certificate No. 190, per diem.....	50 00
Feb. 12.	Certificate No. 283, per diem.....	100 00
Feb. 26.	Certificate No. 365, per diem.....	50 00
March 9.	Certificate No. 453, per diem.....	66 00

SPECIAL SESSION.

March 27.	Certificate No. 97, per diem.....	114 00
April 11.	Certificate No. 234, per diem.....	96 00
Total.....		<u>\$598 20</u>

REGULAR SESSION.

W. RAHM, JR.—

Jan. 14.	Certificate No. 36, mileage.....	\$72 80
March 7.	Certificate No. 421, per diem	366 00

SPECIAL SESSION.

April 11.	Certificate No. 232, per diem	210 00
Total		<u>\$648 80</u>

REGULAR SESSION.

E. P. RICHARDSON—

Jan. 14.	Certificate No. 37, mileage.....	\$68 00
Feb. 14.	Certificate No. 297, per diem.....	50 00
March 2.	Certificate No. 380, per diem.....	50 00
March 9.	Certificate No. 454, per diem.....	206 00

SPECIAL SESSION.

March 24.	Certificate No. 88, per diem.....	84 00
April 4.	Certificate No. 169, per diem.....	50 00
April 13.	Certificate No. 268, per diem.....	76 00
Total		<u>\$644 00</u>

REGULAR SESSION.

P. SCHLOSS—

Jan. 14.	Certificate No. 38, mileage.....	\$28 80
March 2.	Certificate No. 391, per diem.....	300 00
March 9.	Certificate No. 455, per diem.....	66 00

SPECIAL SESSION.

April 11.	Certificate No. 238, per diem.....	210 00
Total		<u>\$604 80</u>

REGULAR SESSION.

E. B. SELLERS—

Jan. 14.	Certificate No. 39, mileage.....	\$35 60
Jan. 27.	Certificate No. 126, per diem.....	50 00
Jan. 30.	Certificate No. 192, per diem.....	30 00
Feb. 12.	Certificate No. 273, per diem.....	40 00
Feb. 25.	Certificate No. 357, per diem.....	150 00
March 7.	Certificate No. 417, per diem.....	50 00
March 9.	Certificate No. 456, per diem.....	46 00

SPECIAL SESSION.

March 24.	Certificate No. 84, per diem.....	84 00
April 1.	Certificate No. 151, per diem.....	54 00
April 11.	Certificate No. 235, per diem.....	72 00
Total		<u>\$611 60</u>

REGULAR SESSION.

J. S. SHIVELY—

March 9.	Certificate No. 463, mileage.....	\$30 00
Feb. 11.	Certificate No. 263, per diem.....	50 00
Feb. 24.	Certificate No. 368, per diem.....	15 00
March 9.	Certificate No. 464, per diem.....	301 00

SPECIAL SESSION.

April 6.	Certificate No. 209, per diem.....	20 00
April 13.	Certificate No. 269, per diem.....	190 00
Total		<u>\$606 00</u>

REGULAR SESSION.

A. G. SMITH—

Jan. 14.	Certificate No. 41, mileage.....	\$28 00
March 6.	Certificate No. 414, per diem.....	366 00

SPECIAL SESSION.

April 13.	Certificate No. 270, per diem.....	210 00
Total		<u>\$604 00</u>

REGULAR SESSION.

J. M. SMITH—

Jan. 14.	Certificate No. 42, mileage.....	\$42 80
Feb. 26.	Certificate No. 367, per diem.....	300 00
March 7.	Certificate No. 419, per diem.....	48 00
March 9.	Certificate No. 457, per diem.....	18 00

SPECIAL SESSION.

March 24.	Certificate No. 86, per diem.....	84 00
April 7.	Certificate No. 216, per diem.....	90 00
April 11.	Certificate No. 230, per diem.....	36 00
Total		<u>\$618 80</u>

REGULAR SESSION.

M. C. SMITH—

Jan.	14.	Certificate No. 43, mileage.....	\$21 20
Jan.	23.	Certificate No. 98, per diem.....	100 00
Feb.	20.	Certificate No. 322, per diem.....	70 00
Feb.	27.	Certificate No. 372, per diem.....	50 00
March	9.	Certificate No. 458, per diem.....	146 00

SPECIAL SESSION.

April	3.	Certificate No. 163, per diem.....	50 00
April	10.	Certificate No. 224, per diem.....	50 00
April	13.	Certificate No. 271, per diem.....	110 00

Total.....	\$597 20
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REGULAR SESSION.

W. C. THOMPSON—

Feb.	7.	Certificate No. 254, per diem.....	\$186 00
March	9.	Certificate No. 465, per diem.....	180 00

SPECIAL SESSION.

April	13.	Certificate No. 272, per diem.....	210 00
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Total.....	\$576 00
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REGULAR SESSION.

M. WEIR—

Jan.	15.	Certificate No. 44, mileage.....	\$61 60
Jan.	28.	Certificate No. 156, per diem.....	125 00
Feb.	7.	Certificate No. 248, per diem.....	241 00

SPECIAL SESSION.

April	1.	Certificate No. 152, per diem.....	120 00
April	13.	Certificate No. 273, per diem.....	90 00

Total.....	\$637 60
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REGULAR SESSION.

J. H. WILLARD—

Jan.	15.	Certificate No. 45, mileage.....	\$42 40
Jan.	16.	Certificate No. 68, per diem.....	60 00
Jan.	27.	Certificate No. 136, per diem.....	60 00
Feb.	7.	Certificate No. 245, per diem.....	246 00

SPECIAL SESSION.

March	26.	Certificate No. 95, per diem.....	102 00
April	1.	Certificate No. 150, per diem.....	36 00
April	13.	Certificate No. 274, per diem.....	72 00
Total			<u>\$618 40</u>

REGULAR SESSION.

F. WINTER—

March	9.	Certificate No. 466, per diem.....	\$366 00
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SPECIAL SESSION.

April	13.	Certificate No. 275, per diem.....	210 00
Total			<u>\$576 00</u>

REGULAR SESSION.

J. W. YUCHE—

Jan.	15.	Certificate No. 46, mileage.....	\$64 40
Jan.	30.	Certificate No. 165, per diem.....	150 00
Feb.	29.	Certificate No. 344, per diem.....	50 00
March	7.	Certificate No. 420, per diem.....	50 00
March	9.	Certificate No. 459, per diem.....	116 00

SPECIAL SESSION.

March	31.	Certificate No. 149, per diem.....	\$50 00
April	8.	Certificate No. 217, per diem.....	50 00
April	13.	Certificate No. 276, per diem.....	110 00
Total			<u>\$640 40</u>

REGULAR SESSION.

V. ZIMMERMAN—

Jan. 15.	Certificate No. 57, mileage	\$42 00
Jan. 30.	Certificate No. 198, per diem	50 00
March 9.	Certificate No. 460, per diem	316 00

SPECIAL SESSION.

March 27.	Certificate No. 98, per diem	114 00
April 3.	Certificate No. 158, per diem	42 00
April 13.	Certificate No. 277, per diem	54 00
Total...	<u>\$618 00</u>

REGULAR SESSION.

LIEUTENANT-GOVERNOR M. D. MANSON—

Jan. 15.	Certificate No. 49, mileage	\$18 00
March 9.	Certificate No. 508, per diem	456 00

SPECIAL SESSION.

April 13.	Certificate No. 312, per diem	280 00
Total.....	<u>\$754 00</u>

REGULAR SESSION.

Per diem of officers	\$1,728 00
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SPECIAL SESSION.

Per diem of officers	\$630 00
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REGULAR SESSION. /

Per diem of employes	\$11,342 00
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SPECIAL SESSION.

Per diem of employes	\$6,025 00
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REGULAR AND SPECIAL SESSIONS.

Allowed by resolutions for labor, supplies, witness fees, and mileage in the John Martin case, rent of rooms at the Bates House, extra allowances to employes, etc., the sum of.....	<u>\$1,372 76</u>
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The number of warrants, the specified amounts thereof, and to whom payable, are set forth upon the accompanying ledgers, kept by the Assistant Secretary of the Senate, and filed herewith.

M. D. MANSON,
President of Senate.

JOHN D. CARTER,
Assistant Secretary of Senate.

Senator McIntosh moved that the Senate adjourn *sine die*.
Carried.

MAHLON D. MANSON,
President of the Senate.

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Resolutions offered by	564, 708
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Committees appointed on, special.	153, 334, 434, 708
Leave of absence granted to	134
Amendments offered by	914
Warrants drawn by	309

ENSLEY, NICHOLAS—

Appeared and sworn in	5
Bills introduced by	32, 108, 178, 181, 336, 327, 360
Committees appointed on, standing	41, 41, 41, 41, 42, 99
Motions made by	868, 960
Petitions presented by	67, 328, 398, 744, 779
Reports made by	201, 417, 889
Resolutions offered by	989
Mileage of	15
Committees appointed on, special	156, 880
Leave of absence granted to	177, 246
Amendments made by	690, 697
Warrants drawn by	900

ERNEST, JOSHUA—

Appeared and answered	4
Bills introduced by	236
Committees appointed on, standing	40, 40, 40, 41, 41, 50
Motions made by	407, 623, 697, 925
Petitions presented by	58, 87, 134, 167, 178, 743
Reports made by	188, 248, 256, 375, 692, 790, 932
Mileage of	15
Committees appointed on, special	21, 505, 863
Leave of absence granted to	357, 396
Amendments made by	859
Warrants drawn by	900

FAULKNER, CHESTER R.—

Appeared and answered	4
Bills introduced by	877
Committees appointed on, standing.	40, 40, 41, 41
Motions made by	84, 90, 131, 340, 721, 732, 747, 755, 776, 809, 834, 860, 861, 877, 949
Petitions presented by	276, 330, 339, 487, 744, 765
Reports made by	81, 138, 221, 222, 264, 330, 331, 375, 451, 487, 489, 727, 808, 834
Resolutions offered by	130
Mileage of	15
Leave of absence granted to	172, 375, 569, 702, 898, 922
Committees appointed on, special.	434, 776, 833
Warrants drawn by	901

FOULKE, WILLIAM D.—

Appeared and answered	4
Bills introduced by	9, 24, 32, 48, 58, 64, 79, 82, 122, 127, 146 [178, 182, 198, 242, 618, 623, 627, 680]
Committees appointed on, standing.	40, 40, 40, 40, 41, 85, 85, 99
Motions made by	11, 24, 31, 42, 46, 64, 66, 82, 85, 101, 109, 129, 129, 161, 197, 229, 230, 267, 276 [278, 280, 308, 308, 313, 316, 319, 331, 332, 349, 372, 378, 381, 408, 411, 436, 432 [444, 453, 457, 479, 481, 492, 519, 528, 540, 544, 545, 564, 573, 581, 583, 581, 582 [597, 625, 688, 690, 694, 698, 701, 705, 710, 714, 720, 722, 733, 736, 743, 745, 756 [766, 774, 792, 806, 815, 817, 822, 827, 861, 873, 878, 883, 886, 860, 920, 925, 973]
Petitions presented by	78, 98, 168, 253, 339, 368, 744
Reports made by	68, 136, 136, 141, 188, 214, 254, 312, 338, 398 [461, 455, 459, 479, 609, 738, 781, 809, 838]

FOULKE, WILLIAM D.—Continued.**Page.**

Resolutions offered by	8, 19, 21, 188, 573, 832, 973
Mileage of	15
Committees appointed on, special	7, 31, 146, 172, 280, 400, 461, 735, 768 [776, 780, 802, 834, 863, 879, 890]
Notices given by	23, 249
Substitutes offered by	139
Amendments made by	171, 259, 265, 410, 471, 508, 577, 712, 790, 840, 882, 925
Leave of absence granted to	910
Warrants drawn by	991

FWOLER, INMAN H.—

Appeared and sworn in	4
Bills introduced by	33, 49, 59, 64, 76, 82, 90, 123, 126, 153, 178, 182, 183, 185 [191, 252, 263, 326, 709]
Committees appointed on, standing	40, 41, 41, 42
Motions made by	17, 29, 99, 120, 150, 164, 166, 171, 191, 340, 367, 368, 376, 468, 473, 504 [505, 525, 552, 564, 567, 584, 619, 624, 625, 688 [719, 732, 734, 735, 808, 825, 837, 901, 912, 913]
Petitions presented by	87, 161, 168, 167, 200, 236, 246, 276, 339, 360, 747
Reports made by	141, 201, 368, 513, 534, 613, 694, 802, 939
Resolutions offered by	82, 85, 94, 119, 321, 326, 334, 403, 610
Mileage of	15
Committees appointed on, special	66, 389, 400, 591, 709, 784, 850
Amendments made by	132, 194, 262, 500, 503, 551, 553, 561, 613, 619
Notices given by	135, 153
Leave of absence granted to	204, 340, 599, 751, 863
Warrants drawn by	991

HILL, JAMES—

Appeared and answered	4
Bills introduced by	59, 178, 364
Committees appointed on, standing	40, 40, 40, 41
Motions made by	555
Petitions presented by	743
Reports made by	188, 234, 534, 759, 830, 854, 936, 982
Mileage of	16
Leave of absence granted to	127
Committees appointed on, special	975, 982
Warrants drawn by	992

HILLIGASS, W. J.—

Appeared and answered	4
Bills introduced by	52, 59, 85, 91, 123, 162, 179, 252, 275, 589, 772
Committees appointed on, standing	40, 40, 41, 41, 85, 99
Motions made by	23, 42, 55, 58, 87, 243, 256, 262, 318, 344, 392, 411, 455, 472, 478, 481 [490, 492, 492, 499, 504, 513, 531, 567, 597, 732, 742, 745, 750, 751 [755, 805, 806, 817, 818, 845, 851, 864, 908, 910, 920, 921, 930, 960]
Petitions presented by	231, 382, 744
Reports made by	455, 737
Resolutions offered by	21, 22, 119, 971
Mileage of	16
Substitutes offered by	26, 344, 411
Leave of absence granted to	54, 201, 319, 590, 824, 967
Amendments made by	89, 141, 256, 272, 342, 343, 406, 698, 804, 904, 906
Committees appointed on, special	146, 733, 768, 885
Warrants drawn by	992

HOOVER, FREDERICK—

Appeared and answered	4
Bills introduced by	33, 49, 79, 91, 103, 199, 699
Committees appointed on, standing	40, 40, 41, 41, 85

HOOVER, FREDERICK—Continued.

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Petitions presented by	135, 232, 743, 779
Reports made by	58, 360, 395, 419, 486, 619, 703, 707, 826
Mileage of	16
Committees appointed on, special	8, 280, 776, 792, 833, 934
Leave of absence granted to	64, 120, 174, 288
Warrants drawn by	992

HOWARD, F. M.—

Appeared and sworn in	4
Bills introduced by	60, 91, 123, 252
Committees appointed on, standing	40, 41, 41, 41
Motions made by	527, 618, 792, 810
Reports made by	201, 271, 411, 527, 792, 845
Mileage of	15
Leave of absence granted to	244, 602
Amendments made by	315
Warrants drawn by	993

HUSTON, JAMES N.—

Appeared and sworn in	5
Bills introduced by	33, 103, 104, 104, 123, 243, 365, 489, 611, 760
Committees appointed on, standing	40, 40, 41, 41, 42
Motions made by	189, 231, 365, 387, 489, 617, 620, 829, 839, 918, 919, 941, 973
Petitions presented by	146
Reports made by	918, 979
Mileage of	16
Committees appointed on, special	21, 334, 745
Leave of absence granted to	246, 544, 585, 848
Warrants drawn by	993

JOHNSON, FRANCIS—

Appeared and answered	221
Bills introduced by	235, 364, 617
Committees appointed on, standing	40, 41, 41, 41
Motions made by	337, 389, 492, 511, 512, 605, 616, 693, 701, 702, 742, 784, 980
Petitions presented by	199, 231, 745, 779
Reports made by	226, 233, 319, 330, 331, 371, 378, 394, 395, 396, 412, 444, 451 [528, 633, 616, 739, 766]
Resolutions offered by	832, 856
Mileage of	16
Committees appointed on, special	46, 339, 936
Leave of absence granted to	457, 541, 967
Amendments made by	501, 553, 907
Warrants drawn by	993

JOHNSTON, COLUMBUS—

Appeared and answered	4
Bills introduced by	79, 104
Committees appointed on, standing	40, 40, 41, 42
Motions made by	772, 819, 854, 906
Reports made by	139, 188, 200, 207, 247, 446, 513, 576, 617, 710, 789, 740 [759, 760, 798, 800, 932, 941]
Resolutions offered by	687
Mileage of	16
Committees appointed on, special	150, 784, 850, 863
Leave of absence granted to	225, 247, 281
Warrants drawn by	994

LINDLEY, JOHN H.—

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Appeared and answered	4
Bills introduced by	76, 296, 725
Committees appointed on, standing	40, 40, 41, 41, 41
Motions made by	236, 386, 521, 94
Petitions presented by	66, 98, 107, 134, 168, 276, 330, 361, 398, 73
Reports made by	58, 87, 52
Mileage of	16
Committees appointed on, special	8, 146, 443, 505
Amendments made by	502
Leave of absence granted to	578, 742
Warrants drawn by	994

MACY, J. W.—

Appeared and sworn in	4
Bills introduced by	33, 60, 79, 179, 182, 184, 725
Committees appointed on, standing	40, 40, 40, 41, 41, 85
Motions made by	173, 175, 351, 538, 600, 733, 840, 983
Petitions presented by	87, 134, 170, 330
Reports made by	245, 342, 351, 446, 623, 704, 964
Resolutions offered by	72
Mileage of	16
Committees appointed on, special	150, 336, 933, 961
Amendments made by	192, 333, 551, 620, 841, 933
Leave of absence granted to	225, 361
Warrants drawn by	994

MAGEE, RUFUS—

Appeared and answered	3
Bills introduced by	34, 46, 49, 60, 93, 155, 191, 296, 693, 805
Committees appointed on, standing	40, 40, 40, 41
Motions made by	20, 24, 31, 61, 69, 73, 83, 93, 96, 99, 107, 110, 143, 146, 155, 157, 162, 172, 194, 195 [224, 225, 236, 243, 249, 263, 317, 321, 324, 336, 369, 391, 409, 428 [448, 460, 469, 470, 498, 548, 557, 558, 562, 574, 578, 592, 598, 600 [602, 609, 610, 611, 618, 768, 775, 806, 811, 850, 860, 921, 931, 977
Petitions presented by	313, 360
Reports made by	53, 77, 94, 228, 342, 352, 415, 417, 592, 601, 828, 969
Resolutions offered by	7, 13, 27, 56, 86, 110, 467, 925, 978
Mileage of	16
Committees appointed on, special	7, 21, 31, 172, 336, 600, 768, 802, 890, 930
Amendments made by	21, 263, 269, 272, 379, 380, 561, 919
Leave of absence granted to	128, 170, 244, 877, 967
Notices given by	358
Warrants drawn by	995

MARSHALL, ANDREWS—

Appeared and sworn in	5
Bills introduced by	34, 123, 227, 334, 698, 760
Committees appointed on, standing	40, 40, 40, 41, 42
Motions made by	465, 471, 822
Petitions presented by	87, 118, 175, 744
Reports made by	15, 233, 822, 823
Resolutions offered by	272, 803, 976
Mileage of	16
Committees appointed on, special	11, 19, 45, 404, 430, 505, 618, 760, 768, 854
Leave of absence granted to	131
Warrants drawn by	995

MAY, HEBER J.—

Appeared and answered	3
Bills introduced by	34, 49, 50, 76, 153, 241, 831

MAY, HEBER J.—Continued.

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Committees appointed on, standing	40, 40, 41, 41, 41, 85, 85
Motions made by	17, 18, 34, 128, 154, 374, 552, 751, 771, 823, 863, 879, 897
Petitions presented by	232, 328, 744
Reports made by	47, 106, 107, 233, 241, 358, 368, 385, 443, 444, 464
Resolutions offered by	8, 24, 381, 611, 691
Mileage of	16
Committees appointed on, special	8, 133, 280, 334, 389, 400, 719, 752, 883
Amendments made by	73
Leave of absence granted to	162, 397, 478
Warrants drawn by	996

MOON, GEORGE W.—

Appeared and sworn in	5
Bills introduced by	35, 173, 400
Committees appointed on, standing	40, 40, 41, 41, 42, 85, 90
Motions made by	440
Petitions presented by	135, 170, 208, 744, 779
Reports made by	114, 372, 704
Mileage of	16
Committees appointed on, special	31, 690
Leave of absence granted to	131, 388, 763
Amendments made by	598
Warrants drawn by	996

McCLURE, DAVID—

Appeared and answered	4
Bills introduced by	14
Committees appointed on, standing	40, 40, 41, 42
Motions made by	576
Petitions presented by	134, 167, 360, 743
Reports made by	118, 147, 148, 188, 200, 281, 396, 619, 727, 801, 978
Mileage of	16
Committees appointed on, special	591
Leave of absence granted to	832
Warrants drawn by	996

McCULLOUGH, J. E.—

Appeared and answered	3
Bills introduced by	36, 50, 61, 213, 417
Committees appointed on, standing	40, 40, 40, 42
Motions made by	82, 101, 143, 167, 221, 239, 254, 256, 284, 269, 295, 350, 390, 400, 401, 418, 461 [481, 555, 585, 589, 600, 728, 780, 813, 881, 913]
Reports made by	55, 67, 68, 69, 89, 90, 100, 108, 139, 140, 167, 173, 174, 175, 206, 209, 232, 247, 262 [349, 350, 356, 367, 368, 370, 379, 387, 388, 389, 390, 396, 401, 417 [418, 481, 555, 588, 589, 590, 595, 596, 624, 683, 689, 691, 695, 698 [699, 715, 726, 727, 790, 800, 827, 829, 844, 900, 914, 930, 944, 980]
Resolutions offered by	11, 45, 80, 402, 430, 983
Mileage of	16
Notices given by	26, 30
Amendments made by	43, 84, 259, 315, 460, 539, 698, 723, 844
Leave of absence granted to	112, 128, 318, 751
Committees appointed on, special	146, 461, 600, 611, 802, 822, 913, 975
Warrants drawn by	87

McINTOSH, JACOB F.—

Appeared and answered	4
Bills introduced by	80, 155, 333
Committees appointed on, standing	41, 41, 41, 41, 85
Motions made by	130, 137, 225, 453, 493, 516, 569, 688, 701, 705, 706, 709, 834 [848, 943, 954, 1004]

McINTOSH, JACOB F.—Continued.

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Petitions presented by	137, 146, 168, 327, 380, 742, 831
Reports made by	100, 101, 117, 136, 138, 192, 195, 196, 199, 200, 201, 202, 205, 245, 320, 336 [342, 350, 375, 380, 384, 385, 415, 477, 543, 697, 704, 707, 714, 718, 824 [851, 865, 933
Resolutions offered by	113, 329, 971
Mileage of	16
Amendments made by	18, 243
Leave of absence granted to	170, 734, 762, 949
Committees appointed on, special	336, 402, 434, 514, 723, 933
Substitutes offered by	975
Warrants drawn by	997

NULL, LYCURGUS S.—

Appeared and answered	4
Bills introduced by	36, 76, 104
Committees appointed on, standing	40, 40, 40, 40, 85, 99
Motions made by	196, 618, 749
Petitions presented by	202, 254, 743
Reports made by	117, 136, 192, 195, 201, 233, 377, 408, 413, 455, 526, 700, 702
Mileage of	16
Nominations made by	6
Committees appointed on, special	46
Leave of absence granted to	174, 388, 590, 814, 884
Warrants drawn by	997

OVERSTREET, GABRIEL—

Appeared and answered	4
Bills introduced by	36, 50, 80, 179, 333
Committees appointed on, standing	40, 40, 40, 41, 41
Motions made by	247, 317, 528, 567, 618, 719, 740, 829
Petitions presented by	87, 168, 228, 321, 398, 742
Reports made by	200, 802, 906
Mileage of	16
Committees appointed on, special	141, 402, 469, 514, 610, 611, 719, 728
Amendments made by	196, 226, 315, 424, 551, 563, 926
Warrants drawn by	998

PETERSON, SILAS—

Appeared and sworn in	5
Bills introduced by	104, 153, 204, 274, 801
Committees appointed on, standing	40, 40, 41, 41, 85
Motions made by	428, 938
Petitions presented by	87, 98, 228, 232
Reports made by	233, 420
Mileage of	16
Leave of absence granted to	128, 183, 884
Amendments made by	502
Committees appointed on, special	776, 833
Warrants drawn by	998

RAHM, WILLIAM, JR.—

Appeared and sworn in	4
Bills introduced by	36, 50, 61, 124, 179
Committees appointed on, standing	40, 41, 41, 41, 99
Motions made by	372, 414, 523, 524, 976
Reports made by	21, 98, 136, 487, 709, 979
Resolutions offered by	56
Mileage of	16
Committees appointed on, special	19, 46, 469, 610, 745
Leave of absence granted to	128, 384, 879
Amendments offered by	928, 977
Warrants drawn by	998

RICHARDSON, E. P.—

Page.

Appeared and answered	3
Bills introduced by	179
Committees appointed on, standing	40, 40, 41, 41, 85
Motions made by	405
Petitions presented by	396
Reports made by	138, 196, 261, 335, 396, 397, 399, 434, 727
Mileage of	16
Committees appointed on, special	404, 430, 434, 732
Warrants drawn by	999

SCHLOSS, PHILIP—

Appeared and sworn in	4
Bills introduced by	10, 36, 50, 62, 64, 80, 105, 124, 180, 182, 185 [186, 296, 389, 400, 612]
Committees appointed on, standing	40, 41, 41, 99
Motions made by	66, 133, 157, 190, 373, 443, 543, 610
Petitions presented by	168, 227, 236, 489
Reports made by	15, 119, 136, 189, 241, 319, 613
Resolutions offered by	11, 21, 98, 366, 584
Mileage of	16
Nominations made by	6
Committees appointed on, special	11, 133, 141, 434, 610, 933
Leave of absence granted to	73, 170, 244, 404, 429, 595, 704, 768, 879
Amendments offered by	964
Warrants drawn by	999

SELLERS E. B.—

Appeared and sworn in	5
Bills introduced by	51, 62, 65, 105, 125, 440, 770
Committees appointed on, standing	40, 41, 41, 85, 99
Motions made by	146, 168, 201, 257, 258, 285, 286, 287, 329, 338, 350 [351, 355, 356, 388, 391, 400, 412, 414, 440, 478, 486 [539, 550, 551, 552, 568, 628, 688, 696, 705, 707, 728 [730, 734, 758, 765, 769, 770, 858, 862, 867, 942, 953 [62, 168, 276, 339, 742 [169, 202, 285, 286, 287, 292, 293, 295, 302, 303, 369 [411, 412, 421, 427, 431, 432, 450, 541, 542, 549, 630 [625, 626, 692, 706, 728, 734, 763, 765, 777, 778, 781 [782, 824, 853, 855, 869, 908, 917, 922, 929, 948 [56, 118, 154, 953 [16 [45, 400, 568, 611, 618, 760, 854, 863, 943 [75, 245, 247, 338, 351 [193, 197, 205, 257, 259, 268, 279, 290, 300, 334 [348, 353, 403, 497, 499, 570, 693, 712, 750, 927 [67 [999
Petitions presented by	62, 168, 276, 339, 742
Reports made by	169, 202, 285, 286, 287, 292, 293, 295, 302, 303, 369 [411, 412, 421, 427, 431, 432, 450, 541, 542, 549, 630 [625, 626, 692, 706, 728, 734, 763, 765, 777, 778, 781 [782, 824, 853, 855, 869, 908, 917, 922, 929, 948 [56, 118, 154, 953 [16 [45, 400, 568, 611, 618, 760, 854, 863, 943 [75, 245, 247, 338, 351 [193, 197, 205, 257, 259, 268, 279, 290, 300, 334 [348, 353, 403, 497, 499, 570, 693, 712, 750, 927 [67 [999
Resolutions offered by	56, 118, 154, 953
Mileage of	16
Committees appointed on, special	45, 400, 568, 611, 618, 760, 854, 863, 943
Leave of absence granted to	75, 245, 247, 338, 351
Amendments made by	193, 197, 205, 257, 259, 268, 279, 290, 300, 334 [348, 353, 403, 497, 499, 570, 693, 712, 750, 927 [67 [999
Substitutes offered by	67
Warrants drawn by	999

SHIVELY, JAMES S.—

Appeared and sworn in	5
Bills introduced by	24, 37, 51
Committees appointed on, standing	40, 41, 41, 41
Motions made by	243, 338, 947
Petitions presented by	87, 145, 168, 203, 276, 398, 743, 779
Reports made by	103, 189, 198, 240, 320, 376, 433, 529, 594, 837
Mileage of	16
Leave of absence granted to	54, 544
Warrants drawn by	999

SMITH, A. G.—

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Appeared and sworn in	4
Bills introduced by	9, 14, 51, 76, 102, 105, 124, 127, 202, 418
Committees appointed on, standing	40, 40, 41, 41, 50, 85
Motions made by	140, 152, 172, 236, 246, 249, 310, 315, 340, 382, 386, 393, 418 [426, 453, 473, 521, 540, 581, 592, 593, 602, 696, 717 [720, 730, 742, 776, 776, 809, 885, 960, 965, 978, 979
Petitions presented by	168, 276, 729, 744
Reports made by	61, 69, 89, 158, 173, 244, 321, 322, 323, 376, 386, 389, 394, 418, 424 [467, 495, 506, 514, 528, 536, 551, 582, 575, 589, 597, 694, 696 [732, 751, 752, 791, 803, 809, 810, 857, 868, 873, 898, 907, 918 [925, 929, 934, 938, 939, 948, 951, 954, 856, 958, 963, 966, 970
Resolutions offered by	86, 331, 443
Mileage of	16
Amendments made by	95, 151, 222, 236, 271, 338, 436, 537, 538, 539, 574, 592, 928
Notices given by	106, 402, 542
Leave of absence granted to	128, 496, 759, 824, 863
Committees appointed on, special	146, 172, 237, 402, 443, 461, 776, 834, 850, 854, 886, 952
Warrants drawn by	1000

SMITH, JOHN M.—

Appeared and answered	4
Bills introduced by	14, 37, 46, 65, 125, 153, 181, 404
Committees appointed on, standing	40, 40, 40, 42, 85
Motions made by	12, 87, 109, 139, 142, 164, 172, 175, 195, 207, 236, 324, 441, 443 [458, 494, 495, 516, 519, 522, 523, 538, 542, 582, 586, 595 [605, 619, 701, 703, 705, 730, 713, 716, 721, 723, 726, 729 [753, 767, 780, 789, 803, 804, 805, 821, 961, 963
Petitions presented by	135, 731, 744, 827
Reports made by	106, 114, 175, 233, 234, 324, 351, 395, 396, 397, 405, 407, 420 [451, 455, 634, 626, 708, 717, 741, 793, 799, 821, 964, 982
Resolutions offered by	8
Mileage of	16
Committees appointed on, special	3, 404, 430, 745, 789, 961, 975, 982
Leave of absence granted to	123, 237, 382, 484, 825, 879, 909
Amendments made by	171, 205, 206, 522, 736, 750, 904, 907
Substitutes offered by	265, 323, 356, 373, 586, 688
Notices given by	725
Warrants drawn by	1000

SMITH, MARCUS C.—

Appeared and answered	4
Bills introduced by	37, 51, 105, 273, 335, 366, 623
Committees appointed on, standing	40, 40, 40, 41, 50
Motions made by	510, 628, 741
Petitions presented by	170, 204, 339
Resolutions offered by	17, 832
Mileage of	16
Amendments made by	12, 287
Leave of absence granted to	127, 328, 382, 821, 902
Committees appointed on, special	728
Warrants drawn by	1001

THOMPSON, W. C.—

Appeared and sworn in	5
Bills introduced by	10, 37, 37, 51, 62, 65, 124, 125, 127, 180, 333, 400, 760
Committees appointed on, standing	40, 40, 41, 42, 99, 99
Motions made by	86, 131, 226, 364, 378, 379, 413, 547, 728, 834, 829
Petitions presented by	232, 247, 328, 745, 760
Reports made by	191, 207, 234, 241, 248, 319, 399, 455, 483, 558, 624, 700 [716, 727, 759, 791, 828

THOMPSON, W. C.—Continued.

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Committees appointed on, special	46
Substitutes offered by	357
Leave of absence granted to	512, 587
Warrants drawn by	1001

WEIR, MORGAN—

Appeared and sworn in	6
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Number.	By Whom Introduced.	First Reading.	To What Committee Referred.	Reported Back.	Second Reading.	Third Reading.	Vote on Passage.	Action.
1	Foulke.	Page. 9	Judiciary.	Page. 316	Page. 316	Page. 430	Page. 430	Failed.
1	Smith, of Jen'gs.	9	Judiciary.	89	81	97	97	Passed.
3	Bryant.	9	Agriculture	188	262	276	276	Passed.
4	Campbell, of Hen.	9	Elections.	187	262	277	277	Passed.
5	Campbell of S. Jo	9	Corporations.	156	156	277	277	Passed.
6	Foulke.	9	Elections.	136	156	278	278	Passed.
7	Schloss.	10	County and Tp. Business	97	317	317	317	Passed.
8	Brown.	10	Education	200	97	317	317	Passed.
9	Thompson.	10	Vital Statistics.	135	317	317	317	Passed.
10	Willard.	10	Judiciary.	331	317	317	317	Passed.
11	Winter.	10	Corporation	90	335	347	347	Passed.
12	Youche.	11	Railroads.	335	352	431	435	Passed.
13	Weir.	13	Judiciary.	241	352	431	435	Passed.
14	Smith, of Jay.	14	Judiciary.	89	323	356	356	Passed.
15	McClure.	14	Benevolent Institutions .	100	356	356	356	Passed.
16	Smith, of Jen'gs.	14	Judiciary.	200	394	431	431	Passed.
17	Bailey.	23	Judiciary.	89	97	147	147	Passed.
18	Shively.	24	Vital Statistics.	321	81	316	316	Passed.
19	Foulke.	24	Elections.	67	243	316	316	Passed.
20	Bailey.	31	Mines and Mining	189	352	432	450	Passed.
21	Brown.	31	Roads and Highways . . .	187	257	432	450	Passed.
22	Campbell of S. Jo	32	Benevolent Institutions .	233	358	432	450	Passed.
23	Davis.	32	County and Tp. Business	148	148	278	279	Passed.
24	Day.	32	Judiciary.	118	148	278	279	Passed.
25	Ensley.	32	Organization of Courts..	69	156	279	279	Passed.
26	Foulke.	32	Judiciary.	159	109	393	393	Passed.
27	Fowler.	46	Rights and Privileges . .	106	221	375	393	Passed.
28	Hoover.	33	Corporations.	68	312	158	280	Passed.
29	Huston.	33	County and Tp. Business	136	245	245	245	Passed.
30	Macy.	33	Railroads.	245	201	245	245	Passed.
31	Magee.	34	Swamp Lds. and Drain'g	201	412	412	730	Passed.
32	Marshall.	34	Judiciary.	412	68	35	35	Passed.
33	May.	34	Corporations.	68	35	35	35	Passed.
34	Moon.	35	Corporations.	377	377	440	440	Passed.
35	McCullough.	36	Roads and Highways . . .	201	412	449	449	Passed.
36	Null.	36	Organizations of Courts .	412	394	449	449	Passed.
37	Overstreet.	36	Roads	233	233	233	233	Passed.
38	Rahm.	36	Judiciary.	200	117	157	157	Passed.
39	Schloss.	36	Education	117	388	378	378	Passed.
40	Shively.	37	Swamp Lands	226	188	264	267	Passed.
41	Smith, of Jay.	37	Judiciary.	188	322	267	268	Passed.
42	Smith, of Del.	37	Judiciary.	90	264	267	268	Passed.
43	Thompson.	37	Rights and Privileges . .	264	247	267	268	Passed.
44	Thompson.	37	Judiciary.	247	222	269	498	Passed.
45	Weir.	38	Judiciary.	202	157	280	280	Passed.
46	Weir.	38	Judiciary.	108	157	280	280	Passed.

SENATE BILLS—Continued.

Number.	By Whom Introduced.	First Reading.	To What Committee Referred.	Reported Back.	Second Reading.	Third Reading.	Vote on Passage.	Action.
		Page.		Page.	Page.	Page.	Page.	
47	Weir.	38	Judiciary.	108	{ 182 158	381	381	Passed.
48	Willard.	38	Roads.	248				
49	Willard.	38	Elections.	115	157	280	281	Passed.
50	Youche.	38	Mines and Mining.	320	403	449	449	Passed.
51	Zimmerman.	39	Judiciary.	100				
52	Smith, of Jay.	46	Judiciary.	{ 234 108				
53	Magee.	46	Judiciary.					
54	Bailey.	47	Labor Statistics.	197	403			
55	Benz.	47	Prisons.	{ 331 227				
56	Brown.	48	Railroads.		163	282	282	Passed.
57	Davis.	48	Corporations.	117	403	450	450	Passed.
58	Day.	48	County and Tp. Business.	{ 702 100	167	282	282	Passed.
59	Drake.	48	Organizations of Courts.	107	163	282	282	Passed.
60	Foulke.	48	Education.	371	371			
61	Duncan, of Brown.	49	County and Tp. Business.	312	312	347	347	Passed.
62	Hoover.	49	Judiciary.	{ 167 115	167	283	283	Passed.
63	Fowler.	49	Judiciary.	115				
64	Macy.	49	Judiciary.	{ 175 200	175	284	284	Passed.
65	Magee.	49	Public Buildings.	98	{ 132 99	146	146	Passed.
66	May.	50	Corporations.	323	368	369	369	Passed.
67	McCullough.	50	Judiciary.	{ 173 115	173	284	284	Passed.
68	Overstreet.	50	Swamp Lands.	375				
69	Rahm.	50	Judiciary.	67				
70	Schlöss.	50	Finance.	200	403	451		
71	Sellers.	51	Corporations.	213	391	391	391	Passed.
72	Shively.	51	Fees and Salaries.	138				
73	Smith, of Jen.	51	Benovolent Institutions.	118	{ 259 172			
74	Smith, of Del.	51	Organization of Courts.	{ 175 114	175	285	285	Passed.
75	Thompson.	51	Corporations.	{ 299 117	546	547	547	Passed.
76	Weir.	52	Judiciary.	{ 174 116	174	288	288	Passed.
77	Youche.	52	Railroads.	319	403	452		
78	Zimmerman.	52	Judiciary.	{ 173 116				
79	Hilligass.	52	County and Tp. Business.	117	167			
80	Day.	52	Special committee.	188				
81	Bailey.	53	Organization of Courts.	403	408	452	452	Passed.
82	Drake.	58	Swamp Lands.	{ 385 375	488	488	488	Passed.
83	Campbell, of St. Joseph.	58	Roads.	248				
84	Foulke.	58	Judiciary.	383				
85	Fowler.	59	Legislative Apportionment.					
86	Hill.	59	Corporations.	{ 413 318	413			
87	Hilligass.	59	Corporations.	{ 413 233	413	463	463	Passed.
88	Howard.	60	Military.	{ 411 201	271	463	463	Passed.
89	Macy.	60	Co. and Tp. Business.	{ 342 185	415	733	733	Passed.
90	Magee.	60	Judiciary.	{ 366 247				
91	McCullough.	61	Education.	528	528	529	529	Passed.
92	Rahm.	61	Judiciary.	{ 386 247				
93	Schlöss.	62	Agriculture.	234				
94	Sellers.	62	Judiciary.			730		
95	Thompson.	62	Vital Statistics.	395				
96	Winter.	62	Corporations.	{ 195 136	249	288	288	Failed.
97	Youche.	62	Temperance.	{ 413 241	413			

SENATE BILLS—Continued.

Number.	By Whom Introduced.	First Reading.	To What Committee Referred.	Reported Back.	Second Reading.	Third Reading.	Vote on Passage.	Action.
98	Bailey	Page. 62	Co. and Tp. Business	Page. 117	Page. 195	Page. 289	Page. 289	Passed.
99	Brown	63	Education	{ 114	195	289	289	Passed.
100	Campbell, of St. Joseph	63	Corporations	318	196	289	289	Passed.
101	Day	63	Special committee	135	196	289	289	Passed.
102	Foulke	64	Co. and Tp. Business	{ 196	196	289	289	Passed.
103	Fowler	44	Rights and Privileges	{ 101	221	548	548	Passed.
104	Schloss	64	Judiciary	{ 389	548	548	548	Passed.
105	Sellers	65	Education	{ 116	548	548	548	Passed.
106	Smith, of Jay	65	Finance	396	548	548	548	Passed.
107	Thompson	65	Prison	396	548	548	548	Passed.
108	Campbell, of St. Joseph	65	Agriculture	234	491	491	491	Passed.
109	Bailey	75	Labor	{ 189	522	731	731	Failed.
110	Bryant	75	Public Health	{ 188	337	348	348	Failed.
111	Campbell, of Hendricks	75	Corporations	201	337	348	348	Failed.
112	Fowler	76	Judiciary	233	170	290	290	Passed.
113	Lindley	76	Fees and Salaries	{ 116	196	290	290	Passed.
114	May	76	Corporations	{ 196	408	464	464	Passed.
115	Null	76	Corporations	{ 138	196	197	197	Passed.
116	Smith, of Jen'gs	76	Judiciary	{ 408	196	197	197	Passed.
117	Youche	77	Fees and Salaries	{ 318	261	291	291	Passed.
118	Duncan, of Tip'n	77	Education	{ 117	205	291	292	Passed.
119	Bailey	78	Judiciary	{ 116	205	293	293	Passed.
120	Brown	78	Education	136	205	293	293	Passed.
121	Duncan, of Bro'n	79	Education	{ 711	694	735	736	Failed.
122	Foulke	79	Judiciary	{ 141	205	735	736	Failed.
123	Hoover	79	Roads	139	205	735	736	Failed.
124	Johnston	79	Education	136	205	735	736	Failed.
125	Macy	79	Co. and Tp. Business	138	232	348	348	Passed.
126	McIntosh	80	Vital Statistics	138	232	348	348	Passed.
127	Overstreet	80	Judiciary	{ 232	526	779	779	Failed.
128	Schloss	80	Swamp Lands	{ 318	192	719	719	Failed.
129	Winter	80	Judiciary	{ 248	192	204	204	Passed.
130	Willard	80	Finance	{ 117	206	204	204	Passed.
131	Bailey	81	Corporations	233	620	746	746	Passed.
132	Duncan, of Bro'n	81	Co. and Tp. Business	206	206	292	292	Passed.
133	Foulke	82	Claims of Women	206	206	292	292	Passed.
134	Fowler	82	Railroads	206	206	292	292	Passed.
135	Hilligass	85	Apportionment	{ 227	695	746	746	Passed.
136	Bailey	90	Cities	{ 434	525	746	746	Passed.
137	Davis	90	Judiciary	188	570	746	746	Passed.
138	Fowler	90	Finance	206	206	294	294	Passed.
139	Hilligass	91	Organization of Courts	201	206	295	298	Passed.
140	Hoover	91	Military	106	206	295	298	Passed.
141	Howard	91	Benevolent Institutions	{ 139	618	746	746	Passed.
142	Magee	94	Judiciary	{ 619	618	746	746	Passed.
143	Smith, of Jen'gs	102	Judiciary	{ 188	100	94	94	Passed.
144	Weir	102	Judiciary	{ 685	695	746	747	Passed.
145	Brown	102	Elections	{ 140	695	746	747	Passed.
146	Drake	103	Railroads	323	698	747	862	Passed.
147	Duncan of Brown	103	Judiciary	698	698	747	862	Passed.
148	Ensley	103	County and Tp. Business	243	140	761	761	Passed.
149	Hoover	103	Education	{ 706	697	761	761	Passed.
150	Huston	104	Education	{ 145	690	761	761	Passed.
151	Huston	104	Education	114	697	762	762	Passed.
152	Johnston	104	Roads	{ 113	617	762	762	Passed.
153	Null	104	Judiciary	202	617	762	762	Passed.
				247	617	762	762	Passed.
				139	617	762	762	Passed.

SENATE BILLS—Continued.

Number.	By whom Introduced.	First Reading.	To what Committee Referred.	Reported Back.	Second Reading.	Third Reading.	Vote on Passage.	Action.
154	Peterson	Page. 104	County and Tp. Business	Page. 136	Page. 137	Page. 137	Page. 137	Passed.
155	S. Bloss	105	Judiciary	140	137	137	137	
156	Sellers	105	Elections	233	137	137	137	
157	Smith of Jen'gs.	105	Judiciary	140	137	137	137	
158	Smith of Del.	105	Corporations	319	137	137	137	
159	Zimmerman	105	Roads	139	207	299	299	Passed.
160	Bailey	121	Corporations	319	699	699	699	
161	Benz	121	Judiciary	390	698	779	842	Passed.
162	Bryant	121	Public Health	140	698	702	702	Passed.
163	Campbell of Hen.	121	Corporations	202	403	466	466	Passed.
164	Campbell of S. Jo.	121	Prisons	248	698	703	703	
165	Davis	121	Federal Relations	330	707	763	763	Passed.
166	Day, by request	122	Public Health	227	699	703	703	
167	Duncan of Brown	122	Cong. Apportionment	221	699	738	738	Passed.
168	Foulke	122	Vital Statistics	395	692	764	810	Failed.
169	Fowler	123	Judiciary	434	702	702	702	
170	Hilligass	123	Judiciary	331	713	299	299	Passed.
171	Howard	123	Swamp Lands	737	699	738	738	Passed.
172	Huston	123	Corporations	699	692	764	810	Failed.
173	Marshall	123	Elections	138	702	702	702	
174	Rahm	124	Cities and Towns	764	703	973	843	Passed.
175	Schloss	124	Cities and Towns	330	209	780	843	Passed.
176	Smith, of Jen'gs.	124	Roads	234	209	300	300	Passed.
177	Thompson	124	Claims	136	207	300	300	
178	Thompson	125	Public Buildings	140	700	700	700	
179	Smith, of Jay	125	Judiciary	136	191	191	191	
180	Sellers	125	Swamp Lands	710	710	765	765	
181	Willard	125	Labor Statistics	233	467	467	467	Passed.
182	Winter	125	Judiciary	306	421	468	476	Passed.
183	Zimmerman	126	Roads	421	421	468	476	Passed.
184	Brown	126	Fees and Salaries	385	710	710	710	
185	Fowler	126	Judiciary	389	256	300	301	Passed.
186	Willard	126	Benev. Inst	256	256	300	301	Passed.
187	Bailey	126	County and Tp. Business	188	255	301	301	Passed.
188	Smith, of Jen'gs.	127	Cities and Towns	232	255	301	301	Passed.
189	Thompson	127	Railroads	255	255	301	301	Passed.
190	Foulke	127	Judiciary	188	367	367	367	
191	Foulke	146	Judiciary	188	367	367	367	
192	Smith, of Jay	153	Judiciary	367	367	367	367	
193	Fowler	153	Judiciary	367	367	367	367	
194	May	153	Cities and Towns	319	715	745	745	
195	Peterson	153	Judiciary	390	715	780	780	Passed.
196	Magee	155	Finance	196	196	225	225	Passed.
197	Davis	155	Education	398	398	398	398	
198	Brown	155	Cong. Apportionment	434	434	434	434	
199	McIntosh	155	County and Tp. Business	201	715	715	715	
200	Hilligass	162	Public Printing	455	455	456	456	Passed.
201	Duncan of Brown	166	Claims	308	821	822	822	Passed.
202	Bailey	177	Insurance	385	385	385	385	
203	Brown	177	Judiciary	629	829	829	829	
204	Campbell of Hen	177	Roads	247	782	782	783	Passed.
205	Davis	177	Judiciary	319	617	782	783	Passed.
206	Davis	178	County and Tp. Business	247	247	247	247	
207	Day	178	Cities and Towns	320	320	320	320	
208	Duncan of Bro'n	178	Organization of Courts	234	234	234	234	
209	Ensley	178	County and Tp. Business	395	937	937	937	
210	Foulke	178	Education	200	200	200	200	
211	Fowler	178	Judiciary	233	233	233	233	
212	Hill	178	Judiciary	323	247	247	247	

SENATE BILLS—Continued.

Number.	By Whom Introduced.	First Reading.	To What Committee Referred.	Reported Back.	Second Reading.	Third Reading.	Vote on Passage.	Action.
213	Hilligass	Page. 179	Cities and Towns	Page. 284	Page. 441	Page. 451	Page. 451	Passed.
214	Macy	179	Judiciary	247				
215	Moon	179	Judiciary	396				
216	Overstreet	179	Fees and Salaries	247				
217	Rahm	179	Temperance	396				
218	Richardson	179	Fees and Salaries	248				
219	Schloss	180	Elections	241	827			
220	Thompson	180	Judiciary	396				
221	Weir	180	Cities and Towns	641				
222	Willard	180	Finance	319				
223	Winter	180	Vital Statistics	247				
224	Zimmerman	181	Legislative Appor'ments	794				
225	Duncan of Tipt'n	181	Education	727				
226	Smith, of Jay	181	Finance	394				
227	Day	181	Cities and Towns	396	522	782	782	Failed.
228	Duncan of Tipt'n	181	Education	319				
229	Ensley	181	Vital Statistics	489				
230	Foulke	182	Judiciary	889	888	889		
231	Fowler	182	Insurance	247				
232	Macy	182	Roads	247				
233	Schloss	182	Judiciary	396				
234	Willard	182	Finance	322				
235	Winter	182	Judiciary	323	587	588	588	Passed.
236	Weir	183	Agriculture	234				
237	Zimmerman	183	Judiciary	689	627	784	784	Passed.
238	Fowler	183	Education	627				
239	Willard	183	Agriculture	487				
240	Macy	184	Judiciary	322				
241	Macy	184	Judiciary	322				
242	Willard	184	Federal Relations	727				
243	Day	184	Cities and Towns	487				
244	Fowler	185	Education	234				
245	Bailey	185	Organization of Courts	324				
246	Schloss	185	Organization of Courts	396				
247	Bens	186	Roads	227				
248	Schloss	186	Judiciary	247				
249	Winter, by req't	189	Elections	319				
250	Davis	189	Judiciary	417				
251	Magee	191	Judiciary	323	370	371	371	Passed.
252	Fowler	191	Judiciary	323				
253	Foulke	198	Education	518	518			
254	Hoover	199	Prisons	488				
255	Hoover	199	Prisons	381	419	468		
256	Brown	202	Finance	227	827			
257	Smith, of Jen'gs	202	Cities and Towns	222				
258	Weir	204	Judiciary	827				
259	Winter	204	Judiciary	727	933	393	393	Passed.
260	Winter	204	Judiciary	323	618	718	718	Passed.
261	Peterson	204	Roads	322				
262	McCullough	213	Special committee	322				
263	Marshall	227	Judiciary	330				
264	Adkinson	235	Roads	320				
265	Johnson	235	Judiciary	619	619	785	785	Passed.
266	Johnson	235	Education	381				
267	Ernest	236	Swamp Lands	322				
268								
269	May	241	Organization of Courts	405	405	405	405	Passed.
270	Bailey	241	Cities and Towns	324				
271	Bailey	242	Vital Statistics	319	572	572	572	Passed.
272	Duncan of Brown	242	Judiciary	317				
273	Davis	242	Railroads	330	616			
274	Foulke	242	Prisons	320				
275	Day, by request	243	Judiciary	619	619	785	785	Passed.

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		Page.		Page.	Page.	Page.	Page.	
276	Huston	243	County and Tp. Business.	320	829			
277	Brown	250	Fees and Salaries	385				
278	Benz	251	Education	487				
279	Brown	251	Rights and Privileges					
280	Campbell, of H.	251	Judiciary	375				
281	Drake	251	Swamp Lands					
282	Fowler	252	Mines and Mining	375				
283	Hilligass	252	Military					
284	Howard	252	Benevolent Institutions	451				
285	Willard	252	Education	487				
286	Willard	252	County and Tp. Business	320				
287	Bailey	254	Banks					
288	Bailey	254	Swamp Lands					
289	Fowler	263	Insurance	385				
290	Smith, of Del.	273	Claims	{ 451 305	339			
291	Peterson	273	Banks					
292	Hilligass	275	Rights and Privileges					
293	Day	275	Rights and Privileges	318	569	569	{ 885 569	Reconsid. Passed.
294	Lindley	296	Judiciary	386	386	386	387	Passed.
295	Schloss	296	County and Tp. Business	375	618	735	735	Passed.
296	Magee	296	Judiciary	{ 778 390	775	775	775	Passed.
297	Winter	296	Judiciary					
298	Thompson							
299	Winter	321	Finance	428	618	786	786	Passed.
300	Adkinson	324	Insurance	385				
301	Bryant	325	Roads	395				
302	Campbell, of H.	325	Judiciary	390	439	439	439	Passed.
303	Drake	325	Judiciary	390				
304	Day	325	Vital Statistics	394				
305	Drake, by request	325	Claims	{ 547 399	547	786	786	Passed.
306	Drake	325	Judiciary	390				
307	Ensley	326	County and Tp. Business					
308	Fowler	326	Military					
309	Benz	327	Vital Statistics	396				
310	Campbell, of H.	327	County and Tp. Business	395				
311	Ensley	327	County and Tp. Business					
312	Day	327	Fees and Salaries	399				
313	Adkinson	327	Public Buildings	451	459			
314	Bailey	328	Labor Statistics	850	850	{ 887 862	887	Passed.
315	Duncan, of Br'wn by request	332	Education					
316	Campbell, of H.	332	Judiciary					
317	McIntosh	333	Vital Statistics	727				
318	Overstreet	333	Fees and Salaries	385	618	787	787	Passed.
319	Marshall	334	Temperance					
320	Smith, of Del	335	Claims	399				
321	Willard	335	Education					
322	Hill	364	Judiciary	{ 555 417	555	556	556	Passed.
323	Hill	364	Military	527	527	528	528	Passed.
324	Johnson	364	Education	385	616	693	693	Passed.
325	Huston	365		385	385	365	365	Passed.
326	Adkinson	366	Rights and Privileges	451				
327	Smith, of Del	366	Finance	{ 510 428	510	511	511	Passed.
328	Ensley	380	Special committee	417	465	465	465	Passed.
329	Benz	384	Benevolent Institutions	395	826			
330	Schloss	389	Special committee	{ 443 397	444	445	445	Passed.
331	Benz	400	Education	487				
332	Moon	400	Organization of Courts					
333	Schloss	400	Railroads					
334	Thompson	400	Claims	{ 802 460				
335	Bryant	402	Rights and Privileges	451	627			
336	Bailey	402	Claims	{ 526 460	526	738	843	Passed.
337	Smith, of Jay	404	Special committee	{ 626 430				
338	Smith, of Jen'gs.	418			437	437	438	Passed.

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339	McCullough. . . .	417	Judiciary.	727				
340	Campbell, of Hen	440	Judiciary.					
341	Sellers.	440	Swamp Lands.	{ 507	507	536	894	Failed.
342	Weir.	440	Judiciary.	{ 491			536	Passed.
343		841						
344	Weir.	462	Special committee.					
345	Huston	489			490	490	490	Passed.
346	Hilligass.	589	Military	{ 845	845			
347	Huston	611	Education	{ 792				
348	Schloss.	612	Education	{ 837				
349	Winter.	616	Judiciary.	759	827	849	850	Passed.
350	Johnson.	617	Judiciary.					
351	Johnson.	617	Education					
352	Foulke.	618	Claims	814	625	815	815	Passed.
353	Bryant.	620	Township Business					
354	Foulke.	623	Judiciary.	727				
355	Smith, of Del	623	Co. and Tp. Business.	707				
356	Foulke.	627	Judiciary.					
357	Hoover	689	Judiciary.					
358	Adkinson	690	Fees and Salaries	{ 879		926	936	
359	Foulke.	690	Co. and Tp. Business	{ 727				
360	Marshall.	693	Judiciary.	704				
361	Magee	693	Corporations	726				
362	Fowler	709	Judiciary.					
363	Lindley	725	Agriculture	759				
364	Macy.	725			725	726	726	Passed.
365	Huston.	780	Education					
366	Marshall.	780	Special committee.	822	823	823	823	Passed.
367	Thompson.	780	Benevolent Institutions.	978				
368	Sellers.	770			770	770	771	Passed.
369	Hilligass.	772	Judiciary.	841				
370	Youche	784	Special committee					
371	Youche	784	Special committee					
372	Peterson.	801	Agriculture					
373	Weir.		Special committee	{ 836	836	855	858	Passed.
374	Magee	805	Agriculture	{ 824	826			
375	Winters	831	Judiciary.	855				
376	May	831	Insurance					
377	Faulkner	877			878	878	878	Passed.
378	Campbell, of Hen	894	Judiciary.	944	944	944	944	Passed.

HOUSE BILLS.

Number.	First Reading.	To What Committee Referred.	Reported Back.	Second Reading.	Third Reading.	Vote on Passage.	Action.
1.	Page. 27	Finance.	Page. 44	Page. 45	Page. 45	Page. 45	Passed.
88	74	Finance.	238	74	74	74	Passed.
3	148	Finance.	198	229	229	229	Passed.
326	150	Finance.	623	150	150	150	Passed.
6	190	Rights and Privileges	524	804	808	809	Passed.
7	190	Judiciary	349	623	808	809	Passed.
15	190	Finance.	321	349	805	805	Passed.
17	190	Judiciary	227	227	337	337	Passed.
20	190	Fees and Salaries.	350	350	409	409	Passed.
35	190	Organization of Courts.	385	241	807	807	Passed.
37	190	Reformatory Institutions	241	807	311	311	Passed.
32	190	County and Township Business	477	533	929	929	Passed.
48	190	Finance.	395	483	929	929	Passed.
115	227	Finance.	227	227	230	231	Passed.
356	230	Finance.	230	230	230	231	Passed.
72	252	Organization of Courts.	351	537	594	574	Passed.
13	252	Judiciary	324	351	594	574	Passed.
39	253	County and Township Business	489	533	854	854	Passed.
65	253	Agriculture.	350	350	854	854	Passed.
47	253	Judiciary	534	534	772	772	Passed.
62	253	Ways and Means	827	827	860	860	Passed.
57	253	Judiciary	385	534	860	860	Passed.
49	253	Judiciary	533	533	860	860	Passed.
70	253	Corporations	390	350	860	860	Passed.
327	273	Finance.	433	313	433	436	Failed.
74	306	Insurance.	312	362	363	364	Passed.
19	307	Insurance.	362	306	306	307	Passed.
79	307	Organization of Courts.	385	306	306	307	Passed.
80	307	County and Township Business	534	534	535	535	Passed.
82	307	County and Township Business	384	542	535	535	Passed.
83	307	Organization of Courts.	543	543	406	406	Passed.
93	307	Rights and Privileges	385	407	306	306	Passed.
95	307	Rights and Privileges	306	306	306	306	Passed.
98	308	Judiciary	543	543	543	544	Passed.
100	308	Judiciary	390	543	543	544	Passed.
108	309	Cities and Towns	309	309	309	309	Passed.
124	309	Judiciary	390	558	558	558	Passed.
125	309	Finance.	624	624	890	890	Passed.
130	309	Cities and Towns	624	881	881	881	Passed.
142	310	Judiciary	310	310	310	310	Passed.
180	310	Judiciary	688	519	520	520	Passed.
430	311	Organization of Courts.	396	392	392	392	Passed.
25	311	Organization of Courts.	396	429	429	429	Passed.
247	392	Organization of Courts.	392	429	429	429	Passed.
66	429	Organization of Courts.	429	429	429	429	Passed.
16	469	Woman's Claims	479	492	523	523	Passed.
90	469	Special committee.	487	576	577	577	Passed.
119	469	Roads.	576	576	947	948	Passed.
137	470	Rights and Privileges	624	577	578	578	Passed.
151	470	Cities	550	577	578	578	Passed.
153	470	Insurance.	625	625	969	969	Passed.
154	470	Insurance.	571	470	471	471	Passed.

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167	471		472	472	472	472	Passed.
422	472		473	473	473	473	Passed.
423	479		497	515	515	515	Passed.
423	481		499	515	515	515	Passed.
56	483		483	875	875	875	Passed.
197	484		{ 545	545	545	545	Passed.
201	486	Finance	{ 484				
280	504	Mines and Mining	513	517	517	517	Passed.
352	506	Special committee	508	506	506	506	Passed.
219	513	Judiciary	520	521	521	521	Passed.
412	522	Judiciary	513				
341	531		598	598	598	598	Passed.
211	531			531			
222	550			563	564	567	Passed.
29	557			551	817	848	Passed.
399	562			557	557	557	Passed.
400	565			563	575	575	Failed.
312	617	Cities	566	583	583	583	Passed.
9	618	Roads	791				
397	619	Drainage	759				
486	620	Agriculture	790				
38	621	Benevolent Institutions	{ 801	801			
316	621	Roads	727				
101	621	Roads	{ 869	739	740	740	Passed.
117	621	Roads	739				
120	621	Education	740	{ 867	867	868	Passed.
170	621	Judiciary	793	793			
220	621	Judiciary	790	800			
299	621	Agriculture	727				
361	621	Judiciary	900	901	658	962	Passed.
481	621	Education	{ 946	831	947	947	Passed.
402	621	Organization of Courts	818	739	853	853	Passed.
239	621	Judiciary	799	{ 799	968	968	Passed.
225	621	Cities and Towns	967	625			
231	621	Roads	798	798			
451	622	Railroads	{ 739				
484	622	Organization of Courts	717	717	717	718	Passed.
363	622	Judiciary					
369	622	Railroads					
527	742	Benevolent Institutions	{ 752	752	754	754	Passed.
537	758	Finance	742	761	774	774	Passed.
165	771		761	771	771	772	Passed.
172	776	Special committee	{ 833	833	835	861	Passed.
87	787	Agriculture	824				
71	788	Agriculture	830		928	929	Passed.
184	788	Roads	952				
287	788	Agriculture					
291	788	Military					
384	788	Cities and Towns	384	384	879	880	Passed.
322	788	Rights and Privileges					
314	788	Labor Statistics			967	967	Passed.
372	788			789	789	789	Passed.
435	789	County and Township Business	865	865	939	939	Failed.
317	789		829				
11		Insurance	790				
16			790	806			
33		Roads	800	800			
490	811	Finance		820	821	821	Passed.
342	819			819	819	819	Passed.
75	839	Roads	941	941	942	942	Passed.
561	848			849	849	849	Passed.
401	850	Select committee	{ 934	934			
543	851		{ 873				
518	852		{ 543	933	966	966	Passed.
			933	852	852	852	Passed.

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200	854	Special committee	854	854	854	854	Passed.
31	855		882	882	882	882	Passed.
479	860	Finance.	949	894	915	915	Passed.
534	874		871	874	874	874	Passed.
336	879	Special committee					
92	881	Special committee					
504	882			882	882	882	Passed.
34	883			883	883	883	Passed.
41	885	Swamp Lands.	932	970	870	970	Passed.
43	886	Corporations					
44	886	Judiciary	925	939	955	955	Passed.
69	886		900				
163	886	Judiciary					
288	886	Judiciary					
292	886	Roads.					
406	886	Roads.					
473	886	Fees and Salaries.					
521	886	Finance.					
549	886	Roads.					
387			890	890	916	917	Passed.
564	911			911	911	911	Passed.
565	914			914	914	914	Passed.
487	933						
210	934			934	934	934	Passed.
104			936				
86	936	Special committee					
550	940			940	940	940	Passed.

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